

RICHLAND COUNTY

COUNTY COUNCIL AGENDA

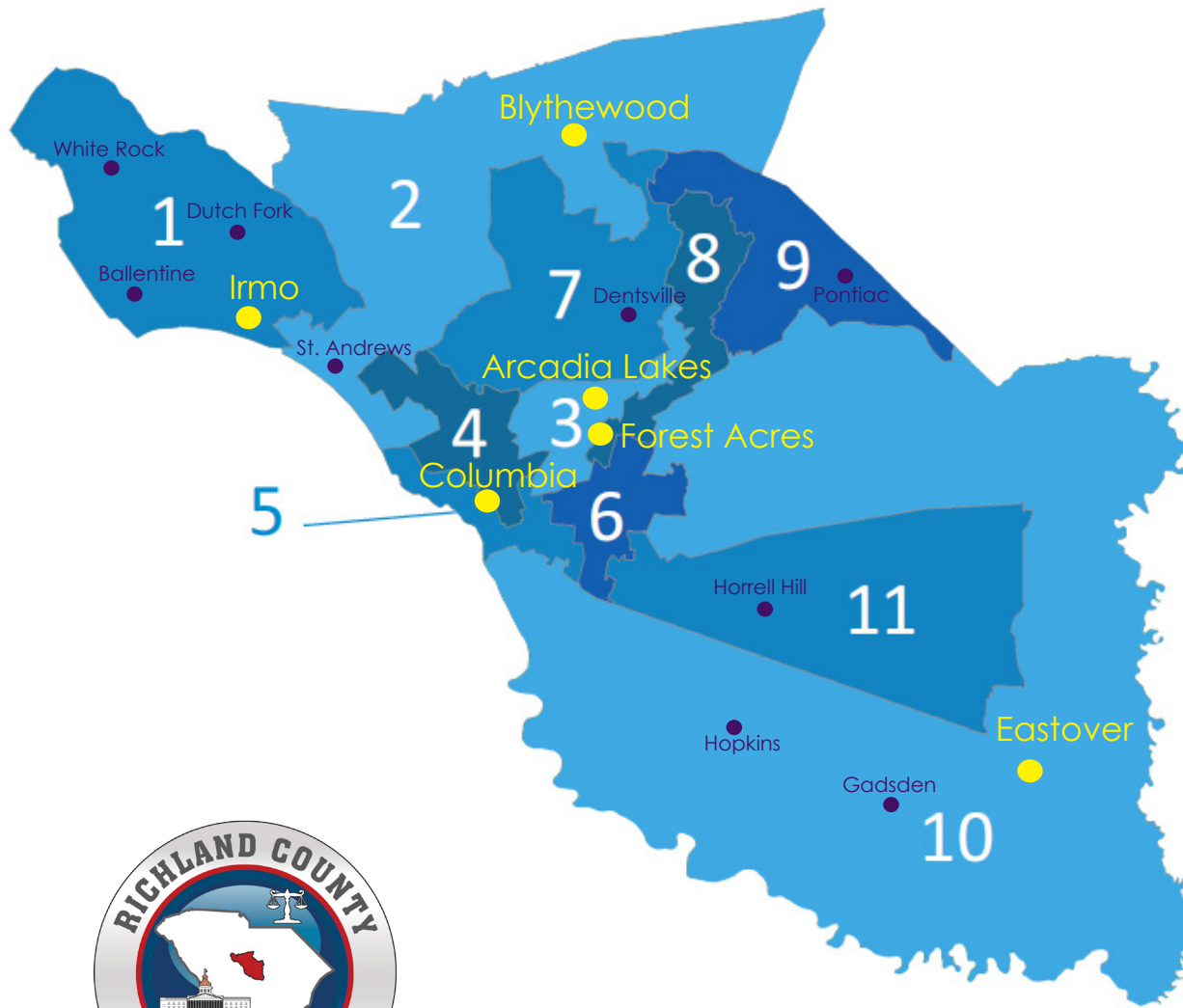


TUESDAY, JUNE 6, 2017

6 P.M.

COUNCIL CHAMBERS

RICHLAND COUNTY COUNCIL 2017-2018



VICE CHAIR
Bill Malinowski
District 1



CHAIR
Joyce Dickerson
District 2



Yvonne McBride
District 3



Paul Livingston
District 4



Seth Rose
District 5



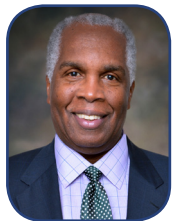
Greg Pearce
District 6



Gwendolyn Kennedy
District 7



Jim Manning
District 8



Calvin "Chip" Jackson
District 9



Dalhi Myers
District 10



Norman Jackson
District 11



Richland County Council
Regular Session
June 6, 2017 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Joyce Dickerson,
Chair, Richland County Council
2. **INVOCATION** The Honorable Joyce Dickerson
3. **PLEDGE OF ALLEGIANCE** The Honorable Joyce Dickerson
4. **APPROVAL OF MINUTES** The Honorable Joyce Dickerson
 - a. Regular Session: May 16, 2017 [PAGES 9-14]
 - b. Zoning Public Hearing: May 23, 2017 [PAGES 15-16]
5. **ADOPTION OF AGENDA** The Honorable Joyce Dickerson
6. **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS** *Items requiring outside
counsel or a consultant. Larry Smith, County Attorney
 - a. Clemson Road & Sparkleberry Lane Intersection
Improvement Project: Right-of-Way Acquisition
 - b. Clemson Road Widening Project: Right of way
acquisition
 - c. North Main Street Contract
 - d. Contractual Matter: USC
 - e. Richland County lost millions of dollars by not
collecting taxes on (SOB) for the past five years. I
[Councilman N. Jackson] move that the Legal
Department along with Administration explore

recovering the funds from Sexual Oriented Businesses directly

f. **Potential Sale of Property**

7. **CITIZENS' INPUT**

For Items on the Agenda Not Requiring a Public Hearing

8. **REPORT OF THE COUNTY ADMINISTRATOR**

Gerald Seals, County Administrator

a. An Ordinance Amending the Elections & Voter Registration Budget [PAGES 17-20]

b. Employee Recruitment Status

9. **REPORT OF THE CLERK OF COUNCIL**

Michelle Onley, Deputy Clerk of Council

a. BUDGET REMINDER: June 8, FY 17-18 Budget 3rd Reading, 6:00 PM

b. Moving Forward Together Youth Summit: June 12 & 13, 8:30 AM – 5:00 PM, Convention Center

c. 53rd Annual Community Relations Council Luncheon & Award Presentations, June 14, 12:00 noon, Convention Center

d. County Council Workshop, June 27, 11:00 AM – 2:00 PM, Columbia Museum of Art

10. **REPORT OF THE CHAIR**

The Honorable Joyce Dickerson

a. OSBO Office Status

b. Budget Motions List

c. Quarterly Meeting with Lexington County

11. **APPROVAL OF CONSENT ITEMS**

The Honorable Joyce Dickerson

a. 17-012MA
Matt Mungo
RU to RS-MD (65.4 Acres)
North Pines Road
TMS # R14800-04-18 [SECOND READING]
[PAGES 21-23]

- b. Petition to Close Portion of Appleton Lane [PAGES 24-40]
- c. Petition to Close Portion of Jilda Drive near Olga Road [PAGES 41-45]
- d. An Ordinance authorizing deed to the City of Columbia for certain water lines to serve the Ballentine Branch Library, Dutch Fork Road; Richland County TMS # 03303-01-06 & 02 (portion) [FIRST READING] [PAGES 46-49]
- e. Require that all municipal utility service providers must request consent and approval from Richland County Council prior to extending or accepting water and sewer infrastructure within the unincorporated boundaries of Richland County [PAGES 50-51]
- f. Richland County lost millions of dollars by not collecting taxes on (SOB) for the past five years. I [Councilman N. Jackson] move that the Legal Department along with Administration explore recovering the funds from Sexual Oriented Businesses directly [PAGES 52-62]
- g. Hangar Leases: In November of last year, I [Councilman Pearce] made a motion for the County Legal Department to review the standard Hamilton-Owens Airport hangar lease. Legal has now completed its review, and it is now appropriate for Council to move toward finalizing any revisions or changes to the model agreement. As such, I [Councilman Pearce] move that this matter be forwarded to the appropriate committee of Council and then on to full Council to consider the standard lease [PAGES 63-78]
- h. Award of the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project [PAGES 79-85]
- i. Sale of County Property [PAGES 86-87]

12. **ORDINANCES – FIRST READING**

- a. An Ordinance Amending the Fiscal Year 2016-2017 General Fund Annual Budget to appropriate Four Hundred Thirty Three Thousand Nine Hundred Eighty Eight Dollars (\$433,988) to increase funding to the

Board of Voter Registration & Elections Department
so as to credit received reimbursement amounts for
cost of conducting elections [PAGES 88-89]

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

The Honorable Paul Livingston

- a. Committing to Negotiate a Fee-in-Lieu of Ad Valorem Taxes Agreement between Richland County and Project Flag; identifying the project; and other matters related thereto [PAGES 90-91]

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

The Honorable Bill Malinowski

I. Notification of Vacancies

- a. Accommodations Tax – Five (5) vacancies (One applicant must have a background in the Cultural Industry; Three applicants must have a background in the Hospitality Industry; One is an at-large seat)
- b. Hospitality Tax – Three (3) vacancies (Two applicants must be from the Restaurant Industry; the other is an at-large seat)
- c. Internal Audit Committee – One (1) vacancy (Applicant must be a CPA)
- d. Business Service Center Appeals Board – One (1) vacancy (Applicant must be an attorney)
- e. Board of Assessment Appeals – Two (2) vacancies
- f. Richland Memorial Hospital Board of Trustees – One (1) vacancy
- g. Central Midlands Council of Governments (CMCOG) – One (1) vacancy
- h. Building Codes Board of Appeals – Two (2) vacancies (One applicant must be from Architecture Industry & one from the Contractor Industry)
- i. Employee Grievance Committee – One (1) vacancy (Applicant must be a Richland County employee)

- j. Procurement Review Panel – Two (2) vacancies (One applicant must be from the public procurement arena & one applicant must be from the consumer industry)
- k. Community Relations Council – Four (4) vacancies
- l. Transportation Penny Advisory Committee – Five (5) vacancies

II. Notification of Appointments

- a. River Alliance – 1 (Applicant should be prepared to assist in promoting facilities, services or policies that create citizen benefits from our rivers)

- 1. Jonathan M. Harvey [PAGES 92-94]

- b. Township Auditorium Board – 2

- 1. Tony B. White [PAGES 95-96]

- 2. Vince Ford [PAGES 97-99]

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

The Honorable Greg Pearce

- a. Mobile Home Replacement Vendor Approval [PAGE 100]

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

- a. Clemson Road Widening Project: Right of way acquisition [PAGES 101-107]
- b. Clemson Road and Sparkleberry Lane Intersection Improvement Project: Right of way acquisition [PAGE 108]
- c. Gills Creek A Greenway Project: Executive Summary [PAGES 109-121]

17. **OTHER ITEMS**

- a. FY17 – District 1 Hospitality Tax Allocations [PAGES 122-123]

- b. FY17 – District 10 Hospitality Tax Allocations
[PAGES 124-125]

18. **SECOND CITIZENS' INPUT**

Must Pertain to Richland County Matters Not on the Agenda

19. **SECOND COUNTY ATTORNEY'S REPORT OF EXECUTIVE SESSION ITEMS**

Larry Smith, County Attorney

20. **MOTION PERIOD/ANNOUNCEMENTS**

- a. I move to direct staff to immediately make efforts to acquire property along Rabbit Run in conjunction with the Southeast Richland Neighborhood Project, a Transportation Program Project. This acquisition whether through eminent domain action will provide an opportunity to made immediate drainage improvements. Currently, County residents residing in neighborhoods such as Alexander Pointe suffer flooding and road closures during heavy rain events. Furthermore, I request this item to be routed to the next Transportation Ad Hoc Committee for consideration so that it may be acted on by Council before summer recess. The Honorable Norman Jackson

- b. I move that staff abide by Council rules and have motion items on the proper committee agenda at the proper time with backup materials and an impartial opinion. If staff is unable to carry out the necessary tasks/duties then Council should consider hiring additional staff. The Honorable Norman Jackson

- c. I move that the old practice of listing items that have not been completed in all standing committees once again be listed as "Items Pending Action". This will hopefully prevent items from "disappearing" that have not had complete action taken by staff/Council The Honorable Bill Malinowski

- d. A resolution recognizing New Light Beulah Baptist Church 150 years of service to the community The Honorable Norman Jackson

- e. **Resolution honoring Richland County Military personnel who gave their lives in the Korean War. These veterans will be recognized at the VA Hospital's June 24th ceremony.** The Honorable Jim Manning

(Additional motions may be received by the Clerk of Council's Office up to 24 hours prior to the Council meeting. Such motions will be distributed as "24-Hour Motions" to Council members)

21. **ADJOURN**



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



Richland County Council

REGULAR SESSION
May 16, 2017 – 6:00 PM
Council Chambers

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Calvin “Chip” Jackson; Norman Jackson; Gwendolyn Davis-Kennedy; Paul Livingston; Jim Manning; Yvonne McBride; Dalhi Myers; Greg Pearce; and Seth Rose

OTHERS PRESENT: Beverly Harris, Jamelle Ellis, Brandon Madden, Sandra Yudice, Michelle Onley, Gerald Seals, Larry Smith, Ismail Ozbek, Tracy Hegler, Jennifer Wladischkin, Laura Renwick, Brad Farrar, Kimberly Williams-Roberts, Eva Prioleau, Chris Eversmann, Shahid Khan, Geo Price, Arthur Braswell, and Jeff Ruble

CALL TO ORDER – Ms. Dickerson called the meeting to order at approximately 6:02 PM.

INVOCATION – The invocation was led by the Honorable Calvin “Chip” Jackson.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by the Honorable Calvin “Chip” Jackson.

APPROVAL OF MINUTES

- a. Regular Session: May 2, 2017 – Mr. Pearce moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. C. Jackson moved, seconded by Mr. Livingston, to adopt the agenda as published. The vote in favor was unanimous.

PRESENTATION OF RESOLUTION AND PROCLAMATIONS

- a. Proclamation recognizing Emmanuel Cunningham, Cardinal Newman High School, for his achievements in sports, academics and community service – Mr. N. Jackson presented a proclamation to Emmanuel Cunningham for his achievements in sports, academics and community service.
- b. Resolution recognizing Clemson University and former Lower Richland Diamonds Marcus Edmond on his success leading the Tigers to the National Championship – Mr. N. Jackson presented a resolution to Marcus Edmond for his success in leading the Tigers to the National Championship.
- c. A Proclamation honoring “National Public Works Week” May 21-27, 2017 – Mr. Pearce presented a proclamation to Mr. Ozbek honoring the week of May 21- 27, 2017 as “National Public Works Week”

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Mr. N. Jackson came very close to being a 400-meter runner at the Olympics.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized that Mr. N. Jackson’s wife was in the audience.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. Audit Update
- b. Transportation Matter: Contractual Matter
- c. Personnel Matter
- d. Utility/Contractual Matter

Council went into Executive Session at approximately 6:23 PM and came out at approximately 6:58 PM.

- a. Audit Update – No action was taken.

CITIZENS INPUT: For Items on the Agenda Not Requiring a Public Hearing – No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

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

REPORT OF THE CLERK OF COUNCIL

- a. REMINDER: Budget Work Sessions (6:00 PM):
 - 1. May 18 – Budget Public Hearing
 - 2. May 25 – Budget 2nd Reading: Grants Only
 - 3. May 30 – Budget 2nd Reading: Non-Grant Items

Ms. Onley reminded Council of the upcoming budget work sessions.

- b. Moving Forward Together Youth Summit: June 12 & 13, 8:30 AM – 5:00 PM, Convention Center

Ms. Onley invited Council to attend the upcoming Moving Forward Together Youth Summit that has been spearheaded by Chairwoman Joyce Dickerson.

REPORT OF THE CHAIR

- a. Clerk Search Update – Ms. Myers stated the Human Resource Director and herself edited the job description. Once the job description has been reviewed by Council members, it will be circulated for 15 days and Council will begin the interview process. In addition, she has proposed dates visits to other Clerk’s Offices, but has only heard back from one Council member.
- b. Council Services Budget/ Council District H-Tax Allocations – Ms. Dickerson stated Council members that have any funding available should submit their requests before the June 30th deadline.

- c. COMET/CMRTA Update – Ms. Dickerson introduced Ms. Ann August, Interim Executive Director of the COMET, to Council.
- d. Additional Budget Work Session – Ms. Dickerson stated she will schedule an additional work session for May 23rd. The items for discussion will be decided by the public input at the May 18th Budget Public Hearing.

APPROVAL OF CONSENT ITEMS

- a. 17-007MA, Cox & Dinkins, RM-HD to GC (0.8 Acres), Daulton Drive & Barbara Drive, TMS # R17012-02-12 [THIRD READING]
- b. 17-008MA, Cox & Dinkins, OI to GC (10.33 Acres), Daulton Drive, Blarney Drive & Barbara Drive, TMS # R17012-02-01 [THIRD READING]
- c. 17-009MA, Krystal Martin, GC to LI (5 Acres), 10539 Farrow Road, TMS # R17500-02-18 [THIRD READING]

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

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

- I. NOTIFICATION OF VACANCIES
 - a. Board of Assessment Appeals – 2 – Mr. Malinowski stated the committee recommended re-advertising for the vacancies. The vote in favor was unanimous.
 - b. Employee Grievance – 1 – Mr. Malinowski stated the committee recommended appointing Mr. James H. Hill, III to the Employee Grievance Committee. The vote in favor was unanimous.
 - c. Planning Commission – 1 – Mr. Malinowski stated the committee recommended appointing Ms. Chui Ping (Karen) Yip to the Planning Commission. The vote in favor was unanimous.
 - d. Accommodations Tax – 3 (One applicant must have a background in the Cultural Industry; One applicant must have a background in the Hospitality Industry; and the other is an at-large seat) – Mr. Malinowski stated the committee recommended re-advertising for the vacancies. The vote in favor was unanimous.
 - e. Central Midlands Council of Governments (COG) – 1 – Mr. Malinowski stated the committee recommended appointing Mr. Douglas J. Fabel. The vote in favor was unanimous.

OTHER ITEMS

- a. FY17 – District 4 Hospitality Tax Allocations – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.
- b. FY17 – District 1 Hospitality Tax Allocations – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

- c. FY17 – District 3 Hospitality Tax Allocations – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.
- d. FY17 – District 2 Hospitality Tax Allocations – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

CITIZENS’ INPUT: Must Pertain to Richland County Matters Not on the Agenda – The citizen chose not to speak at this time.

It was noted again that comments during Citizens’ Input should pertain to County matters.

EXECUTIVE SESSION

Council went into Executive Session at approximately 7:15 PM and came out at approximately 7:55 PM.

- a. Transportation Matter/Potential Litigation – Ms. Myers moved, seconded by Ms. Kennedy, to proceed as discussed in Executive Session. The vote in favor was unanimous.
- b. Utility/Contractual Matter – Mr. N. Jackson moved, seconded by Mr. C. Jackson, to proceed as discussed in Executive Session. The vote in favor was unanimous.
- c. Personnel Matters – No action was taken.

MOTION PERIOD

- a. Direct staff to research changing the ordinance relating to water runoff so in the future it will require environmental studies and not allow any runoff that exceeds the current runoff from the undeveloped property. This motion should be reviewed/completed and provided to the Planning Commission no later than their June meeting. [MALINOWSKI] – This item was referred to the D&S Committee.
- b. Request that administrative staff and Emergency Services Director evaluate the current contract for ambulance service fee collection to determine whether a rebid of this contract might improve the revenue from ambulance operations. A recommendation regarding this contract would then be reported to the A&F Committee for any necessary action. [PEARCE] – This item was referred to the A&F Committee.
- c. Move that the Budget Committee be changed from a standing committee of Council to an “Ad Hoc” committee that would only meet when specific items are referred to it via the Motion Period. Currently, items being placed on the Budget Committee agenda are of sufficient importance that the entire Council should be debating and voting on these.[PEARCE] – This item was referred to the Rules & Appointments Committee.
- d. If Developers, Builders, etc. cause any hardship on any community due to poor workmanship or unapproved or unpermitted work of any kind that fails, all of their building permits should be pulled and the builder not allowed to build until they fix the problem(s). NOTE: The homeowners, nor the citizens, should have to pay to fix poor workmanship [N. JACKSON] – This item was referred to the D&S Committee.
- e. HOA’s operated by developers or management firms should be fined if due to their poor management, and not that of the homeowners, it causes a hardship on the homeowners or

community. NOTE: There are improperly maintained detention ponds that have trees growing in them which causes flooding during a bad storm [N. JACKSON] – This item was referred to the D&S Committee.

ADJOURNMENT – The meeting was adjourned at approximately 9:08 PM.

X

Joyce Dickerson
Chairwoman

X

Bill Malinowski
Vice Chair

X

Calvin "Chip" Jackson
District Nine

X

Norman Jackson
District Eleven

X

Gwendolyn Kennedy
District Seven

X

Paul Livingston
District Four

X

Jim Manning
District Eight

X

Yvonne McBride
District Three

X

Dalhi Myers
District Ten

X

Greg Pearce
District Six

X

Seth Rose
District Five

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



Richland County Council

ZONING PUBLIC HEARING

May 23, 2017 – 7:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29201

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Norman Jackson, Gwendolyn Kennedy, Paul Livingston, Jim Manning, Yvonne McBride, Dalhi Myers, Greg Pearce, and Seth Rose

OTHERS PRESENT: Michelle Onley, Tommy DeLage, Geo Price, Tracy Hegler, Larry Smith, and Kim Roberts

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 7:00 PM.
2. **ADDITIONS/DELETIONS TO THE AGENDA** – There were no additions or deletions.
3. **ADOPTION OF THE AGENDA** – Mr. Malinowski moved, seconded by Ms. Kennedy, to adopt the agenda as distributed. The vote in favor was unanimous.

4. **MAP AMENDMENTS**

- a. 17-010 MA
Beverly Rabon
RS-HD to RU (9.28 Acres)
2813 Padgett Road
TMS# R22015-03-38 [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

Mr. Brian Simons spoke in favor of the re-zoning.

The floor to the public hearing was closed.

Mr. N. Jackson moved, seconded by Ms. Kennedy, to deny the re-zoning request. The vote in favor was unanimous.

- b. 17-011MA
Bill Hampton
RU to OI (0.53 Acres)
1654 Dutch Fork Road
TMS# R02412-01-07 [FIRST READING]

Mr. Malinowski moved, seconded by Mr. N. Jackson, to defer this item until the June 27th Zoning Public Hearing. The vote in favor was unanimous.

- c. 17-012MA
Matt Mungo
RU to RS-MD (65.4 Acres)
North Pines Road
TMS# R14800-04-18 [FIRST READING]

Ms. Dickerson opened the floor to the public hearing.

Mr. Bill Dixon spoke in favor of the re-zoning.

Mr. Kris Mattingly, Ms. Jenni Burns, Ms. Yolanda Hudley and Ms. Beverly Rabon spoken in opposition of the re-zoning.

The floor to the public hearing was closed.

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

5. **ADJOURNMENT** – The meeting adjourned at approximately 7:17 PM.



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

Council Memorandum 5-1

To: County Council
From: County Administrator Gerald Seals
Date: May 23, 2017
Subject: Elections & Voter Registration

During the September 20, 2016 Council meeting, using a PowerPoint, I informed Council about a number of budgetary irregularities that painted a picture of fiscal mismanagement in the Elections & Voter Registration's Office. That information was based on budgetary information given to me by the former finance director. This memorandum serves to inform County Council that the information was wrong.

As a part of the current audit review underway, the following has been discovered:

- The financial information provided on September 20, 2016 was inaccurate and did not reflect the truth.
- I received information from Finance that the Elections' Office would have an approximate \$400,000 budget overrun – see attached analysis. Staff has determined that was not the truth as its determination was based on faulty information.
- The reimbursements received from the State Elections Commission and the City of Columbia for the elections conducted by the County's Elections & Voter Registration Office were handled correctly. The reimbursements were added to the County's General Fund as revenue, but the Election's budget was not adjusted to account for operational expenditures related thereto.
- The Council approved budget amendments relative to the Elections & Voter Registration Office were not processed. The resulted in a false negative balance. As a result, the deficit balances showing within their current budget are inaccurate.

In the current fiscal year, the County's Election's Office conducted statewide and local elections. Accordingly, the Election's Office submitted requests for the reimbursement of the costs incurred for conducting the elections to the appropriate agencies. Staff processed the reimbursements as revenue into the County's financial system as detailed in the table below:

Table 1: Elections Reimbursement Summary				
Entity	Type of Election	Amount of Reimbursement	Date Reimbursement was Received	Date Reimbursement was Deposited
State Elections Commission	Statewide Primary Elections	\$156,835	10/21/2016	10/28/2016
State Elections Commission	Statewide Primary Elections	\$16,884	10/21/2016	10/28/2016
State Elections Commission	General Election	\$224,752	3/1/2017	3/8/2017
City of Columbia	District IV Special Election	\$35,517	1/26/2017	2/8/2017
Total Reimbursements		\$433,988		

In addition to the elections reimbursement received, County Council approved two budget amendments to the Election's budget as detailed below:

Table 2: Election's Office Budget Amendment Summary	
Date of Council Approval	Budget Amendment Amount
October 18, 2016	\$38,740
May 2, 2017	\$87,865
Total	\$126,605

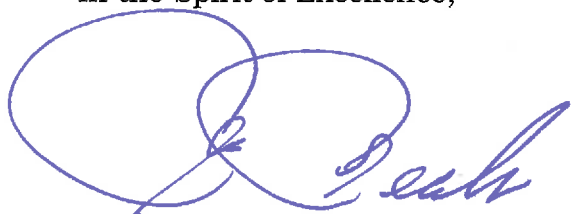
To correct this matter, I recommend that Council amends the Elections budget and increase it by the total reimbursed amount to properly credit that amount. This will allow for the County to correct this matter, financially, and allow the Elections Office budget to accurately reflect its revenues and expenditures for the current fiscal year. As such, the following schedule applies:

Table 3: Corrective Action Schedule		
Date	Council Meeting	Action Needed
June 6, 2017	Regularly Scheduled Council Meeting	First reading approval of the budget amendment
June 20, 2017	Regularly Scheduled Council Meeting	Second reading approval of the budget amendment
June 27, 2017	Special Called Council Meeting	Third reading approval of the budget amendment

I have shared my concerns about some of the practices of the County's former Chief Financial Officer in private conversations with members of County Council and with the full Council during Executive Session discussions on multiple occasions.

This corrective action will require Council to schedule a special called meeting prior to the end of the fiscal year on June 30, 2017. However, it is important to note that much of the controversy surrounding the County's Elections Office was caused by the budgetary challenges the office faced. Some of the challenges were self-inflicted; however, pursuant to staff's research on this matter, the reimbursements received by the County's Finance Office vis-à-vis the Elections that were not properly processed contributed to the controversy. I will send a formal letter to the Board of Elections & Voter Registration apologizing. The Council also may wish to contact the Board of Elections & Voter Registration.

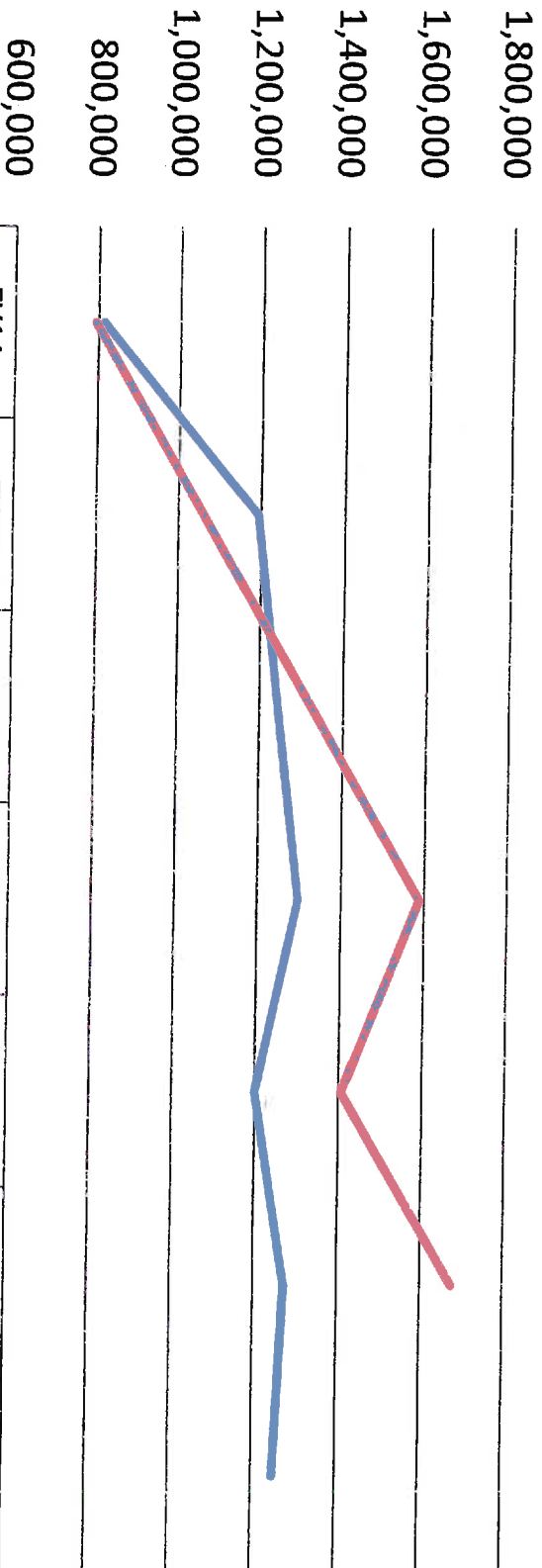
In the Spirit of Excellence,

A handwritten signature in blue ink, appearing to read "Gerald Seals", written in a cursive style.

Gerald Seals
County Administrator

Fiscal Discipline in Elections Office

Election Commission/Voter Registration



— Operating Budget — Operating Actual

	FY11	FY12	FY13	FY14	FY15	FY16	FY17
Operating Budget	815,829	1,193,811	1,244,661	1,297,599	1,200,293	1,272,646	1,250,375
Operating Actual	795,593	1,062,800	1,325,181	1,587,930	1,407,064	1,673,581	



Richland County Council Request of Action

Subject:

17-012MA
Matt Mungo
RU to RS-MD (65.4 Acres)
North Pines Road
TMS# R14800-04-18

First Reading: May 23, 2017
Second Reading:
Third Reading:
Public Hearing: May 23, 2017

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

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 14800-04-18 FROM RU (RURAL DISTRICT) TO RS-MD (RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 14800-04-18 from RU (Rural District) zoning to RS-MD (Residential Single-Family Medium Density District) zoning.

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 June 20, 2017.

RICHLAND COUNTY COUNCIL

By: _____
Joyce Dickerson, Chair

Attest this _____ day of
_____, 2017.

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: May 23, 2017
First Reading: May 23, 2017
Second Reading: June 6, 2017
Third Reading: June 20, 2017



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4a Meeting Date: May 23, 2017

To: Seth Rose, Chair, Development and Services Committee
From: Lauren Hogan, Assistant County Attorney
Department: County Legal Department

Item Subject Title: Legal Department: Petition to Close Portion of Appleton Lane
Action Taken by Committee previously: None.

- Options:
1. Approve petitioner's request to close the subject road and direct Legal to answer the suit accordingly.
 2. Deny petitioner's request to close the road, state reasons for such denial, and direct Legal to answer the suit accordingly.

Motion Requested Today: Staff does not have a recommended motion as this is related to a petition to close a portion of a road in accordance with Richland County Code of Ordinances (Roads, Highways and Bridges) section 21-14

Staff Recommendation: Council discretion. Staff will proceed as directed by County Council.
Impact of Action: Operating Budget: Not applicable.

Capital Budget: Not applicable.
Funding Amount/Source: There is no apparent financial impact associated with this request.

Requested by: County Legal Department

Staff Representative: Larry Smith, County Attorney

Outside Representative: None.

List of Attachments:

1. Detailed Request of Action
2. Notice of Intention to File a Petition and accompanying documents
3. Relevant Pictures

5/15/17
Date Submitted

Brandon Madden
Approved by the County Administrator's Office

10
Council District



REQUEST OF ACTION

Subject: Legal Department: Petition to Close Portion of Appleton Lane

A. Purpose

County Council is requested to approve, deny or make a recommendation with respect to a Petition to Close a portion of Appleton Lane in accordance with Richland County Code of Ordinances (Roads, Highways and Bridges) section 21-14. The road is more particularly described in the attached Notice of Intention to File a Petition and accompanying documents.

B. Background / Discussion

Richland County Code of Ordinances (Roads, Highways and Bridges) section 21-14 requires the County Attorney to consult with the County's Planning, Public Works and Emergency Services departments and to forward the request to abandon or close a public road or right-of-way to County Council for disposition. All afore-mentioned departments have been informed of the ROA for input and none have an objection. This portion of Appleton Lane is a dirt road that runs through a piece of property owned by one individual. Owner contends the dirt road is constantly used for dumping. See attached pictures.

There is no apparent financial impact associated with this request.

C. Legislative / Chronological History

There is no legislative / chronological history associated with this request.

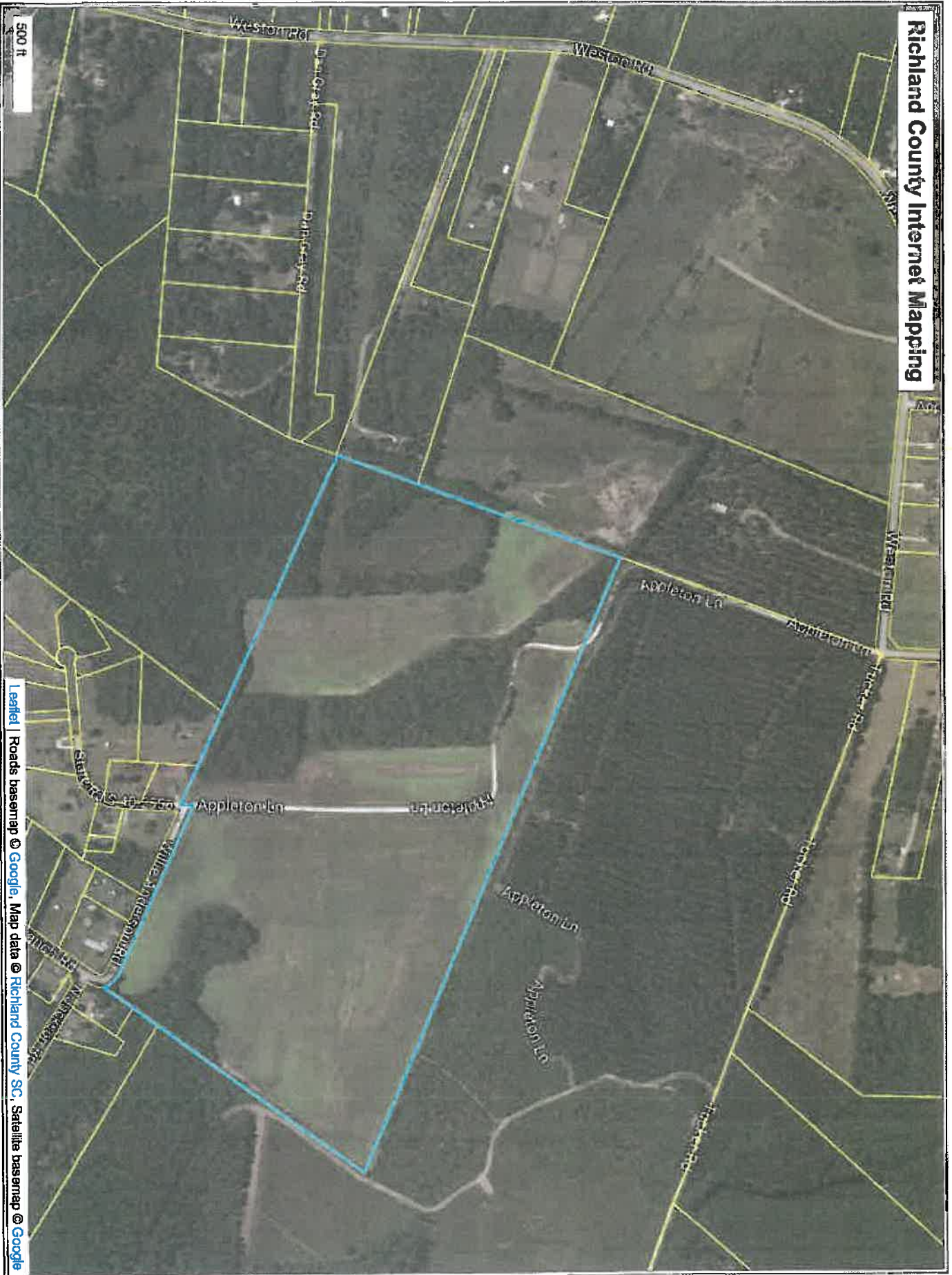
D. Alternatives

1. Approve petitioner's request to close the subject road and direct Legal to answer the suit accordingly.
2. Deny petitioner's request to close the road, state reasons for such denial, and direct Legal to answer the suit accordingly.

E. Final Recommendation

Council's discretion.

Richland County Internet Mapping



Leaflet | Roads basemap © Google, Map data © Richland County SC, Satellite basemap © Google

Assessor Data View

The information provided on this page reflects data as of December 31, 2016 and should be used for reference only. For official assessment information, please contact the Richland County Assessor's Office.

Information presented on the Assessor's Database is collected, organized and provided for the convenience of the user and is intended solely for informational purposes. ANY USER THEREOF OR RELIANCE THEREON IS AT THE SOLE DISCRETION, RISK AND RESPONSIBILITY OF THE USER. While every attempt is made to provide information that is accurate at the date of publication, portions of such information may be incorrect or not current. RICHLAND COUNTY HEREBY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, AS TO ITS ACCURACY, COMPLETENESS OR FITNESS FOR ANY PARTICULAR PURPOSE. All official records of the County and the countywide elected officials are on file in their respective offices and may be viewed by the public at those offices.

Owner Information

Tax Map Number: R27400-03-04
Owner: JACKSON CLEVELAND
Address 1: PO BOX 831
Address 2:
Address 3:
City/State/Zip: UNION SC 29379
Property Location/Code: B/S APPLETON LN

Tax Information

Year: 2016
Property Tax Relief: \$0.00
Local Option Sales Tax Credit: (\$28.67)
Tax Amount: \$330.75
Paid: Yes
Homestead: No
Assessed: \$780.00

Assessment Information

Year Of Assessment: 2017
Tax District: 11R
Acreage Of Parcel: 126.00
Non-Agriculture Value: \$340,200.00
Building Value: \$0.00
Taxable Value: \$19,400.00
Zoning: RU RURAL DISTRICT
Legal Residence: No
Sewer Connection: CITY
Water Connection: CITY
Agriculture Value: \$19,400.00
Improvements: \$0.00

Property Information

Legal Description: TRACT E #SU
#PR X-1349
Land Type: CROP LAND-C2

Sales History

Current Owner Name	Sale Date	V/I	Book/Page	Sale Price	Qual Code
JACKSON CLEVELAND	05/31/2013	V	R1865/ 1802	\$340,200.00	A
JACKSON CLEVELAND &	03/25/2002		R0641/ 1653	\$0 00	
JACKSON RICHARD JR ET AL	01/26/1976		D0376/ 278	\$0.00	

[Qualification Code Definitions](#)

Structure Information

Building Number	Year Structure Was Assessed	Building Description	Actual Year Built	Number Of Bathrooms	Number Of Bedrooms	Total Number Of Stories	Heated Square Footage	Total Square Footage
-----------------	-----------------------------	----------------------	-------------------	---------------------	--------------------	-------------------------	-----------------------	----------------------

Structure Details

Structure Type	Structure Description	Building Number
----------------	-----------------------	-----------------

Exemptions

Exemption Year	Exemption Description
----------------	-----------------------

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
Cleveland Jackson)
)
 Petitioner (s))
)
 v.)
)
Richland County, South Carolina and The)
State of South Carolina (S.C. Department of)
Transportation))
 Respondent(s))

IN THE COURT OF COMMON PLEAS
 CIVIL ACTION COVERSHEET

2017-CP-40-

Submitted By: J. Kershaw Spong SC Bar #: 5289
 Address: Sowell Gray Robinson Stepp & Laffitt Telephone #: (803) 929-1400
LLC Fax #: (803) 929-0300
P.O. Box 11449 E-mail: kspong@sowellgray.com
Columbia, SC 29211

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.
- NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | | |
|---|---|---|--|---|
| Contracts
<input type="checkbox"/> Constructions (100)
<input type="checkbox"/> Debt Collection (110)
<input type="checkbox"/> General (130)
<input type="checkbox"/> Breach of Contract (140)
<input type="checkbox"/> Fraud/Bad Faith (150)
<input type="checkbox"/> Failure to Deliver/Warranty (160)
<input type="checkbox"/> Employment Discrim (170)
<input type="checkbox"/> Employment (180)
<input type="checkbox"/> Other (199) _____ | Torts - Professional Malpractice
<input type="checkbox"/> Dental Malpractice (200)
<input type="checkbox"/> Legal Malpractice (210)
<input type="checkbox"/> Medical Malpractice (220)
Previous Notice of Intent Case #
20 ____-____-_____
<input type="checkbox"/> Notice/ File Med Mal (230)
<input type="checkbox"/> Other (299) _____ | Torts - Personal Injury
<input type="checkbox"/> Conversion (310)
<input type="checkbox"/> Motor Vehicle Accident (320)
<input type="checkbox"/> Premises Liability (330)
<input type="checkbox"/> Products Liability (340)
<input type="checkbox"/> Personal Injury (350)
<input type="checkbox"/> Wrongful Death (360)
<input type="checkbox"/> Assault/Battery (370)
<input type="checkbox"/> Slander/ Libel (380)
<input type="checkbox"/> Other (399) _____ | Real Property
<input type="checkbox"/> Claim & Delivery (400)
<input type="checkbox"/> Condemnation (410)
<input type="checkbox"/> Foreclosure (420)
<input type="checkbox"/> Mechanic's Lien (430)
<input type="checkbox"/> Partition (440)
<input type="checkbox"/> Possession (450)
<input type="checkbox"/> Building Code Violation (460)
<input checked="" type="checkbox"/> Other (499) _____ | |
| Inmate Petitions
<input type="checkbox"/> PCR (500)
<input type="checkbox"/> Mandamus (520)
<input type="checkbox"/> Habeas Corpus (530)
<input type="checkbox"/> Other (599) _____ | Administrative Law/Relief
<input type="checkbox"/> Reinstate Driver's License (800)
<input type="checkbox"/> Judicial Review (810)
<input type="checkbox"/> Relief (820)
<input type="checkbox"/> Permanent Injunction (830)
<input type="checkbox"/> Forfeiture-Petition (840)
<input type="checkbox"/> Forfeiture- Consent Order (850)
<input type="checkbox"/> Other (899) _____ | Judgments/Settlements
<input type="checkbox"/> Death Settlement (700)
<input type="checkbox"/> Foreign Judgment (710)
<input type="checkbox"/> Magistrate's Judgment (720)
<input type="checkbox"/> Minor Settlement (730)
<input type="checkbox"/> Transcript Judgment (740)
<input type="checkbox"/> Lis Pendens (750)
<input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760)
<input type="checkbox"/> Confession of Judgment (770)
<input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780)
<input type="checkbox"/> Other (799) _____ | Appeals
<input type="checkbox"/> Arbitration (900)
<input type="checkbox"/> Magistrate-Civil (910)
<input type="checkbox"/> Magistrate-Criminal (920)
<input type="checkbox"/> Municipal (930)
<input type="checkbox"/> Probate Court (940)
<input type="checkbox"/> SCDOT (950)
<input type="checkbox"/> Worker's Comp (960)
<input type="checkbox"/> Zoning Board (970)
<input type="checkbox"/> Public Service Comm. (990)
<input type="checkbox"/> Employment Security Comm (991)
<input type="checkbox"/> Other (999) _____ | |
| Special/Complex /Other
<input type="checkbox"/> Environmental (600)
<input type="checkbox"/> Automobile Arb. (610)
<input type="checkbox"/> Medical (620)
<input type="checkbox"/> Other (699) _____
<input type="checkbox"/> Sexual Predator (510)
<input type="checkbox"/> Permanent Restraining Order (680) | | | | <input type="checkbox"/> Pharmaceuticals (630)
<input type="checkbox"/> Unfair Trade Practices (640)
<input type="checkbox"/> Out-of-State Depositions (650)
<input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660)
<input type="checkbox"/> Pre-Suit Discovery (670) |

Submitting Party Signature: _____ Date: May 5th, 2017

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRPC, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

Pursuant to the ADR Rules, you are required to take the following action(s):

- i. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND)

Clelveland Jackson,) Case No. 2017-CP-40-

Petitioner,)

v.)

Richland County, South Carolina and)
The State of South Carolina (S.C.)
Department of Transportation).)

Respondents.)

**CERTIFICATE OF
EXEMPTION / WITHDRAWAL
FROM ARBITRATION / MEDIATION**

I CERTIFY THAT THIS ACTION IS EXEMPT FROM ARBITRATION BECAUSE:

- monetary relief requested in this case exceeds \$25,000.00;
- this is a class action;
- there is a substantial claim for injunction or declaratory relief in this case;
- this case involves (check one or more of the following)
 - title to real estate;
 - wills, trusts and decedents' estates;
 - mortgage foreclosure;
 - partition;
- this is a special proceeding or action seeking extraordinary relief such as mandamus, habeas, corpus, or prohibition;
- monetary relief requested in this case is unspecified but exceeds \$25,000;
- this case is a companion or related to similar actions pending in other courts with which the action might be consolidated but for lack of jurisdiction or venue;
- this action is appellate in nature;
- this is a post-conviction relief matter;
- this is a forfeiture proceeding brought by the State; or
- this is a contempt of court proceeding.

May 5th, 2017



J. Kershaw Speng
Attorney for Petitioner

STATE OF SOUTH CAROLINA)	
)	IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND)	
Cleveland Jackson,)	Case No. 2017-CP-40-
)	
Petitioner,)	
)	
v.)	SUMMONS
)	
Richland County, South Carolina and The State)	
of South Carolina (S.C. Department of)	
Transportation),)	
)	
Respondents.)	

TO: THE RESPONDENTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Petition to Close Road in the above entitled action, copy of which is herewith served upon you, and to serve copy of your answer upon the undersigned at their offices. Sowell Gray Robinson Stepp & Laffitte, LLC, P.O. Box 11449, Columbia, South Carolina 29211, within Thirty (30) days after service hereof upon you, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, judgment will be rendered against you for the relief demanded in the Petition to Close Road.

YOU WILL ALSO TAKE NOTICE that the undersigned attorney on behalf of the Plaintiff herein, will seek the agreement and stipulation of all parties not in default for an Order of Reference to Master in Equity for Richland County stipulating that said Master may enter a final judgment in this case.

J. Kershaw Spong [SC Bar # 5289]
 SOWELL GRAY ROBINSON STEPP & LAFFITTE, LLC
 P.O. Box 11449
 Columbia, SC 29211
 (803) 929-1400
 Email: kspong@sowellgray.com

Attorneys for the Petitioner

Columbia, South Carolina

May 5, 2017

STATE OF SOUTH CAROLINA)	
)	IN THE COURT OF COMMON PLEAS
COUNTY OF RICHLAND)	
Cleveland Jackson,)	Case No. 17-CP-40-
)	
Petitioner,)	
)	
v.)	PETITION TO CLOSE STREETS
)	(S.C. Code of Laws
Richland County, South Carolina and)	§57-9-10 et. seq.)
The State of South Carolina (S.C.)	
Department of Transportation),)	Non-Jury
)	
Respondents.)	
)	
_____)	

Petitioner, Cleveland Jackson alleges the following:

1. Petitioner is a citizen and resident of the County of Richland, State of South Carolina and owns property in Richland County, South Carolina.
2. This petition action is brought pursuant to S.C. Code of Laws §57-9-10 et. seq. for the closure of all or a portion of a certain public road.
3. Pursuant to that chapter of the S.C. Code of Laws, Petitioner has published the requisite newspaper notice of the closing of that portion of Appleton Lane, including any unopened portion thereof, as this road lies on his property.
4. A copy of the Affidavit of the publisher of The Columbia Star newspaper is attached as Exhibit A stating that the Notice of Intention To File Petition to Close Road was published on April 14, 21, and 28, 2017 (once a week for three consecutive weeks as required by statute) in that newspaper of general circulation in Richland County.
5. The said County is named as a Respondent in this petition as it may claim an interest in Appleton Lane (the "Road") to be closed and the road on information and belief is a

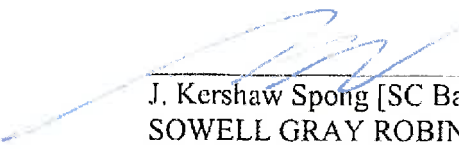
county maintained road; the road to be closed is roughly shown on **Exhibit B** attached hereto which designates Appleton Lane.

6. The land located on all sides of the Road (or portions thereof) to be closed, is owned by the Petitioner. No other landowners abut Appleton Lane.

7. The State of South Carolina through its agency, the South Carolina Department of Transportation, may have all or some of the affected Road within the state system for maintenance; and if so, it would be a necessary party to this action; and, therefore, it has been named as a party Respondent.

8. Petitioner has received no inquiries from anyone as a result of the newspaper notice publication. Petitioner seeks to close the road to prevent ongoing illegal dumping of trash which is creating a public safety and health hazard.

WHEREFORE, Petitioner prays that the Court make all inquiries it may require to execute an order to close all public and private rights in and to the Road, being all of Appleton Lane (as shown on **Exhibit B**) running through the Petitioner's land shown on Tract E on a plat recorded in the Office of the Register of Deeds on December 23, 1970 in Plat Book X at Page 1349.



J. Kershaw Spong [SC Bar #5289]
SOWELL GRAY ROBINSON STEPP &
LAFFITTE, LLC
P.O. Box 11449
Columbia, SC 29211
(803) 929-1400
Email: kspong@sowellgray.com

Attorneys for Petitioner

Columbia, South Carolina
May _____, 2017

Exhibit A

NOTICE OF INTENTION TO FILE A PETITION TO CLOSE ROAD

State of South Carolina
County of Richland

NOTICE is hereby given that after publication of this Notice of Intention to File a Petition to Close Road once a week for three (3) consecutive weeks, Cleveland Jackson, will file in the Richland County Court of Common Pleas a Petition, pursuant to South Carolina Code Section 67-9-10, et. seq. (1976, as amended), to close that portion of Appleton Lane, including any unopened portion thereof, within the boundaries of real property owned by Cleveland Jackson as shown on a Boundary Survey prepared by Samuel G. Heary, dated February 28, 1886 and Jas. C. Covington dated February 4, 1927, compiled by J. P. Gaillard dated October 1933 and recorded in the Office of the Richland County Register of Deeds on December 28, 1970 in Plat Book X at Page 1349, and further described as: that certain piece, parcel or tract lying, being, situate, shown and designated as Tract "E" on said survey and containing one hundred twenty-six (126) acres, bounded and measured as follows: on the Northeast by Tract "F" designated by Mrs. Ann F. D. Weston, on the Southeast by lands designated Harry W. Adams; on the Southwest by Tract "D", designated John A. Weston, and Northwest by lands designated Peter Garick.

TMS No. R27400-03-04
April 3, 2017
Cleveland Jackson
By his Attorney
J. Kerisha Spong, Esquire
Sowell Gray Robinson
Stapp & Lafitte, LLC
Post Office Box 11449
Columbia, South Carolina
29211
(803) 227-1101

THE COLUMBIA STAR

COLUMBIA, SOUTH CAROLINA

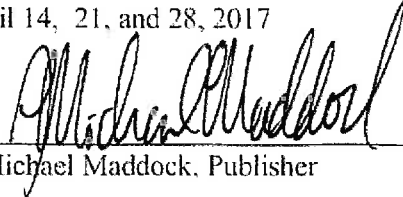
State of South Carolina
County of Richland

Personally appeared before me,
J. MICHAEL MADDOCK,
PUBLISHER OF THE COLUMBIA STAR,
who makes oath that the advertisement

NOTICE OF INTENTION TO FILE A PETITION TO CLOSE ROAD
Cleveland Jackson will file in Richland County to close a portion of
Appleton Lane, et al.

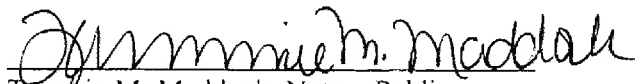
a clipping of which is attached hereto, was printed in
THE COLUMBIA STAR, a weekly newspaper of general circulation
published in the City of Columbia. State and County aforesaid, in the issues of

April 14, 21, and 28, 2017



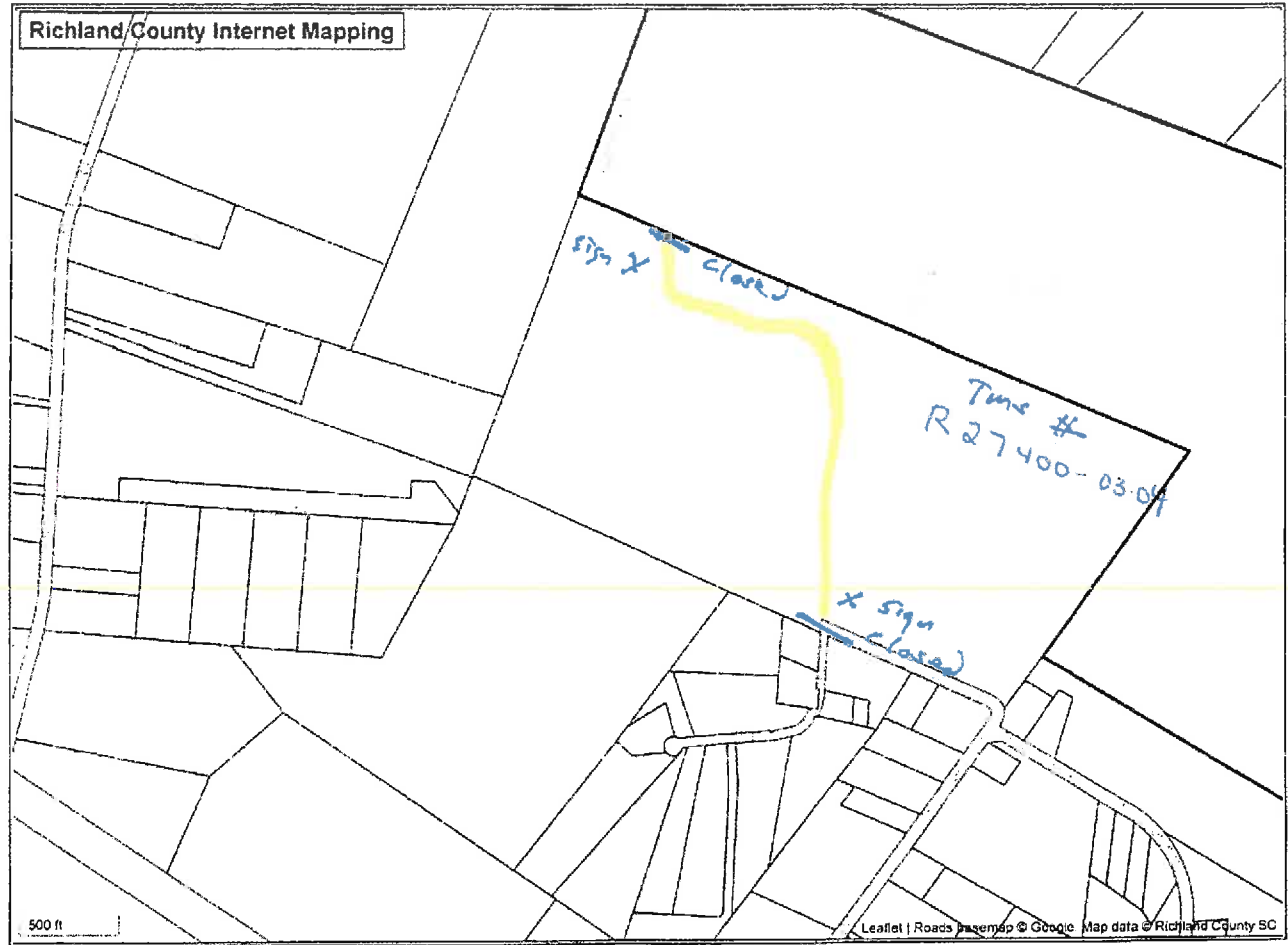
J. Michael Maddock, Publisher

Sworn to before me on this
28th day of April, 2017.



Tammy M. Maddock, Notary Public
My commission expires June 27, 2026

Exhibit B







**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4b Meeting Date: May 23, 2017

To: Seth Rose, Chair, Development and Services Committee
From: Lauren Hogan, Assistant County Attorney
Department: County Legal Department

Item Subject Title: Legal Department: Petition to Close Portion of Jilda Drive near Olga Rd.
Action Taken by Committee previously: None.

- Options:
1. Approve the request to close the portion of Jilda Drive near Olga Road.
 2. Do not approve the request and contest the matter in circuit court.

Motion Requested Today: Staff does not have a recommended motion as this is related to a petition to close a portion of a road in accordance with Richland County Code of Ordinances (Roads, Highways and Bridges) section 21-14

Staff Recommendation: Council discretion. Staff will proceed as directed by County Council.
Impact of Action: Operating Budget: Not applicable.

Capital Budget: Not applicable.
Funding Amount/Source: There is no apparent financial impact associated with this request.

Requested by: County Legal Department

Staff Representative: Larry Smith, County Attorney

Outside Representative: None.

List of Attachments:

1. Detailed Request of Action
2. Proposed Petition

<u>5/15/17</u>	<u>Brandon Madden</u>	<u>7</u>
Date Submitted	Approved by the County Administrator's Office	Council District



REQUEST OF ACTION

Subject: Legal Department: Petition to Close Portion of Jilda Drive near Olga Road.

A. Purpose

County Council is requested to approve, deny or make a recommendation with respect to a Petition to close a portion of Jilda Dr. near Olga Rd. in accordance with Richland County Code of Ordinances (Roads, Highways and Bridges) section 21-14. See attached for proposed Petition.

B. Background / Discussion

Richland County Code of Ordinances (Roads, Highways and Bridges) section 21-14 requires the County Attorney to consult with the County's Planning, Public Works and Emergency Services departments and to forward the request to abandon or close a public road or right-of-way to County Council for disposition. All afore-mentioned departments have been informed of the ROA for input and none have an objection. The surrounding property will have one owner as the Plaintiff is under contract to purchase all property outlined in blue (see attachments). Although the dirt road is located in Richland County, it does not appear to be owned by Richland County, nor has there been any maintenance by Richland County. Additionally, another portion of Jilda Drive was previously closed with Council consent in 2016.

There is no apparent financial impact associated with this request.

C. Legislative / Chronological History

There is no legislative / chronological history associated with this request.

D. Alternatives

1. Approve the request to close the portion of Jilda Drive near Olga Road.
2. Do not approve the request and contest the matter in circuit court.

E. Final Recommendation

Council's discretion.



Plan of Subdivided Subdivision, Inc.

TERRY ACRES

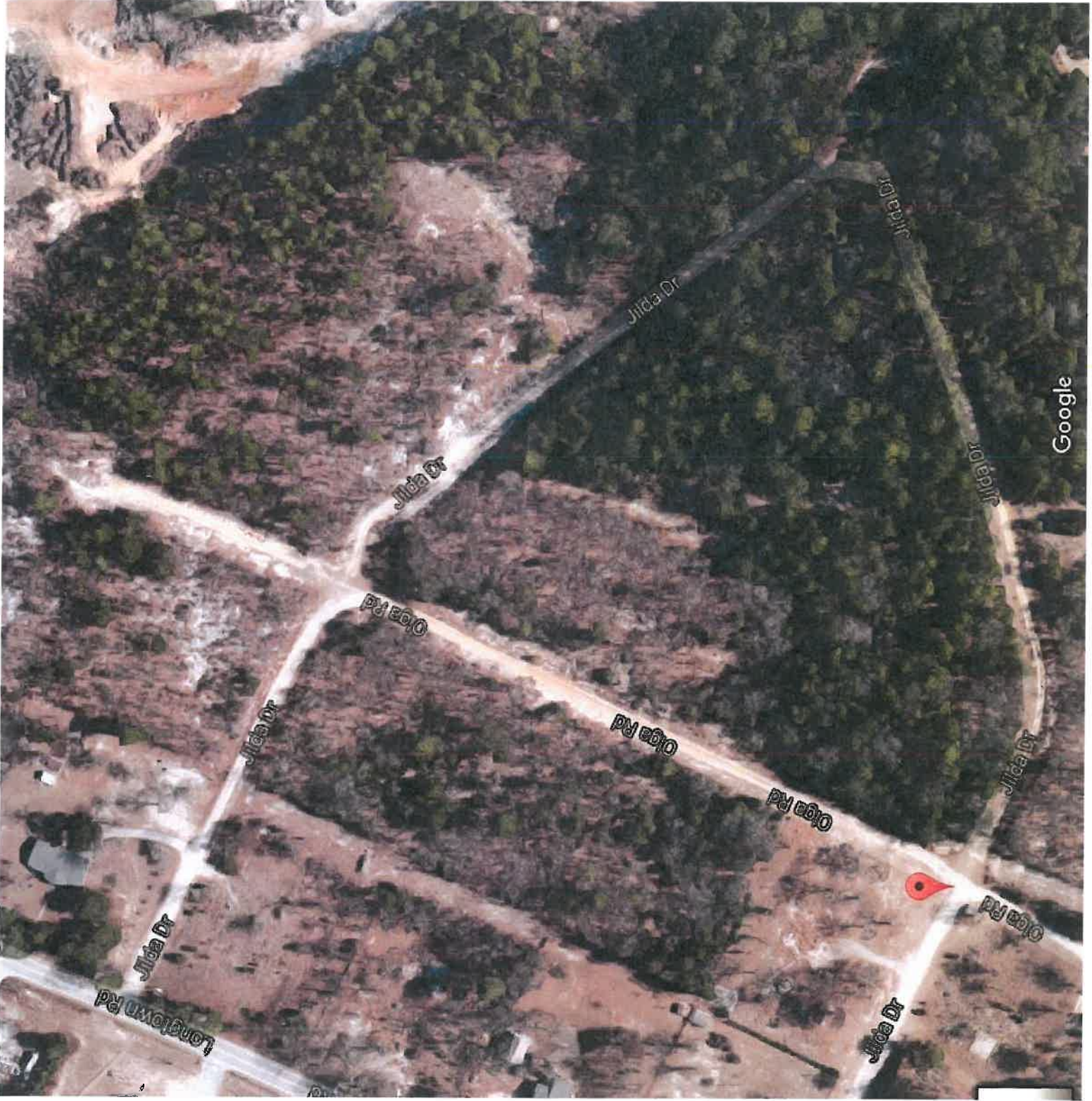
William S. Terry, Jr., Columbus, Mo.
 William S. Terry, Jr., Columbus, Mo.
 William S. Terry, Jr., Columbus, Mo.



The undersigned, State Surveyor for the State of Missouri, do hereby certify that the above is a true and correct copy of the original plan on file in my office.

W. N. Terry, Jr.
 State Surveyor





Richland County Council Request of Action

Subject:

An Ordinance authorizing deed to the City of Columbia for certain water lines to serve the Ballentine Branch Library, Dutch Fork Road; Richland County TMS# 03303-01-06 & 02 (portion)

First Reading:

Second Reading:

Third Reading:

Public Hearing:



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4d Meeting Date: May 23, 2017

To: Seth Rose, Chair, Development and Services Committee
From: Elizabeth McLean, Assistant County Attorney
Department: County Legal Department

Item Subject Title: An Ordinance authorizing deed to the City of Columbia water lines for Ballentine Branch Library Dutch Fork Road; Richland County TMS#03303-01-06 & 02 (Portion); CF#336-15

Action Taken by Committee previously: None.

- Options:**
1. Consider the request and recommend that Council provide first reading of the ordinance.
 2. Consider the motion and do not recommend that Council provide first reading of the ordinance.

Motion Requested Today: Staff recommends Council approval of the ordinance

Staff Recommendation: Approve motion request.

Impact of Action: Operating Budget: Not applicable.

Capital Budget: Not applicable.

Funding Amount/Source: There is no apparent financial impact associated with this request.

Requested by: County Legal Department

Staff Representative: Larry Smith, County Attorney

Outside Representative: None.

List of Attachments:

1. Detailed Request of Action
2. Draft Ordinance

5/15/17
Date Submitted

Brandon Madden
Approved by the County Administrator's Office

1
Council District



REQUEST OF ACTION

Subject: An Ordinance authorizing deed to the City of Columbia water lines for Ballentine Branch Library Dutch Fork Road; Richland County TMS#03303-01-06 & 02 (Portion); CF#336-

15

A. Purpose

County Council is requested to consider An Ordinance authorizing deed to the City of Columbia water lines for Ballentine Branch Library Dutch Fork Road; Richland County

B. Background / Discussion

County Council authorized the purchase of the referenced property for the purpose of a new location of Richland Library in the community of Ballentine. Richland Library has built a new library on the property. Water meters have been purchased from the City of Columbia, who is supplying water service, for the project. The City requires that a deed be executed conveying the water lines including valves, valve boxes, fire hydrants, meter boxes, service lines to meter boxes and easement boundaries leading to fire hydrant lines and all components to complete the system.

This transfer is typical of all projects serviced by the City of Columbia Water Department and is a requirement for the Library to receive a Certificate of Occupancy and open to the public.

C. Legislative / Chronological History

There is no legislative / chronological history associated with this request.

D. Alternatives

1. Consider the request and recommend that Council provide first reading of the ordinance.
2. Consider the motion and do not recommend that Council provide first reading of the ordinance.

E. Final Recommendation

Staff recommends Council approval of the ordinance.

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

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA FOR CERTAIN WATER LINES TO SERVE THE BALLENTINE BRANCH LIBRARY DUTCH FORK ROAD; RICHLAND COUNTY TMS #03303-01-06 & 02 (PORTION).

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to certain water lines to The City of Columbia, as specifically described in the attached DEED TO WATER LINES FOR BALLENTINE BRANCH LIBRARY DUTCH FORK ROAD; RICHLAND COUNTY TMS#03303-01-06 & 02 (PORTION); CF#336-15, which is attached hereto and incorporated herein.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of 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. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Joyce Dickerson, Chair

Attest this _____ day of
_____, 2017.

Michelle Onley
Assistant Clerk of Council

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



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4e Meeting Date: May 23, 2017

To: Seth Rose, Chair, Development and Services Committee
From: Vice-Chairman Bill Malinowski, District 1
Department: County Council

Item Subject Title: Council Motion: Require that all municipal utility service providers must request consent and approval from Richland County Council prior to extending or accepting water and sewer infrastructure within the unincorporated boundaries of Richland County

Action Taken by Committee previously: None.

- Options:**
1. Consider the motion and approve accordingly.
 2. Consider the motion and do not approve.

Motion Requested Today: Council's discretion as this request is pursuant to a Council motion.

Staff Recommendation: Council's discretion as this request is pursuant to a Council motion. Staff will proceed as directed by County Council.

Impact of Action: Operating Budget: Not applicable.

Capital Budget: Not applicable.

Funding Amount/Source: There is no apparent financial impact associated with this request.

Requested by: Vice-Chairman Bill Malinowski, District 1

Staff Representative: County Administrator Gerald Seals

Outside Representative: None.

- List of Attachments:**
1. Detailed Request of Action

4/4/17
Date Submitted

Brandon Madden
Approved by the County Administrator's Office

All
Council District



REQUEST OF ACTION

Subject: Council Motion: Require that all municipal utility service providers must request consent and approval from Richland County Council prior to extending or accepting water and sewer infrastructure within the unincorporated boundaries of Richland County

A. Purpose

County Council is requested to consider a Council motion relative to utility infrastructure.

B. Background / Discussion

At the April 4, 2017 Council meeting, Vice-Chairman Malinowski brought forth the following motion:

“I move to require that all municipal utility service providers must request consent and approval from Richland County Council prior to extending or accepting water and sewer infrastructure within the unincorporated boundaries of Richland County.”

There is no apparent financial impact associated with this request.

C. Legislative / Chronological History

There is no legislative / chronological history associated with this request.

D. Alternatives

1. Consider the motion and approve accordingly.
2. Consider the motion and do not approve.

E. Final Recommendation

Council’s discretion. Staff will proceed as directed by County Council.

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4a Meeting Date: April 25, 2017

To: The Honorable Seth Rose, Chair, Development and Services Committee

From: Norman Jackson, Councilmember, District 11
Bill Malinowski, Councilmember, District 1

Department: County Council

Item Subject Title: Council Motion: Richland County lost millions of dollars by not collecting taxes on (SOB) for the past five years. I move that the Legal Department along with Administration explore recovering the funds from Sexual Oriented Businesses directly.

Action Taken by Committee previously: The Committee deferred this item to a future Committee meeting at its March 28, 2017 meeting.

Options:

1. Consider the motion proceed accordingly.
2. Consider the motion and do not proceed.

Motion Requested Today: This is a Councilmember initiated request.

Staff Recommendation: Staff does not have a specific recommendation. Staff will proceed as directed by County Council relative to this item.

Impact of Action: Operating Budget: The impact of this action on the County operating budget is dependent upon Council's action relative to this item.

Capital Budget: None.

Funding Amount/Source: None identified at this time.

Requested by: Norman Jackson, Councilmember, District 11
Bill Malinowski, Councilmember, District 1

Staff Representative: County Administrator Gerald Seals.

Outside Representative: None.

List of Attachments:

1. Detailed Request of Action

2/7/17
Date Submitted

Brandon Madden
Approved by the County Administrator's Office

All
Council District

2011	77,513.20	84,956.28	4,826.41	167,295.89
2012	234.00	103,178.93	4,476.61	107,889.54
2013	1,101.45	64,603.75	2,574.19	68,279.39
2014	1,294.07	100.00	3,154.88	4,548.95
2015	1,289.48	369,385.79	3,660.22	374,335.49
2016	1,354.48	22,686.25		24,040.73
Total	97,060.23	760,209.64	22,567.84	879,837.71

Summary: Delinquent Fees and Taxes

Year	Business License Tax	Hospitality Tax	Business Personal Property Tax	Total
2010	200.90	4,191.96	4,191.96	8,584.82
2011	5,062.89	4,201.73	1,762.13	11,026.74
2012	78,304.03	2,238.93	2,014.73	82,557.68
2013	46,946.49	450.00	2,152.57	49,549.06
2014	46,497.00	100.00	250.01	46,847.01
2015	41,321.83	1,632.65	203.10	43,157.58
2016	30,257.52	1,878.21		32,135.73
Total	248,590.66	14,693.47	10,574.49	273,858.63

- Business license, Hospitality Tax, and Local Accommodation Tax revenues, when missing, are estimated based on any revenues that are reported (for any of the three “revenue” taxes) and on revenues reported to the SC Department of Revenue.
- Delinquent business license fees do not include any under-reporting of revenue for business license purposes.
- Delinquent business license fees do not include the shortage of payments that were made using a rate for a non-sexually oriented business activity.
- Hospitality Taxes for 2016 are as of June 2016.
- Business Personal Property Taxes for 2016 are not due until January 2017. Therefore, no payments are considered delinquent until after that time.
- Payment for Business Personal Property Taxes, when missing, are estimated based on previous payments for this tax. If no payments were ever made, payments were estimated based on their business peers’ payments.

Other Considerations

Whether to collect these funds is a policy decision. The collection of these funds is the responsibility of the County’s Business Service Center. However, the decision of whether or not to collect back taxes and fees is a policy decision of Council. There is a statute of limitations, so the back taxes and fees can only be collected for the last three years.

C. Legislative / Chronological History

There is no legislative history relative to this motion.

D. Alternatives

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed.

E. Final Recommendation

This is a policy decision of Council.



Richland County Business Service Center

2020 Hampton Street, Suite 1050
 P.O. Box 192
 Columbia, SC 29202

Phone: (803) 576-2287
 Fax: (803) 576-2289
bsc@rcgov.us
<http://www.rcgov.us/bsc>

Sexually Oriented Businesses (SOB's): A Compliance Summary

- I. Who's Who
 - a. Businesses Inspected by the Zoning Administrator
 - b. Other Suspected Sexually Oriented Businesses
- II. Financial Impact
- III. Current Status of Inspected and Possible Sexually Oriented Businesses
- IV. Next Steps
- V. **Recommendation** (as of 5/22/2017)

Who's Who

Sexually oriented businesses are typically initially brought to County staff's attention as a result of a complaint, either by a citizen, the Richland County Sheriff's Department, or by a County Council member. Some of these businesses were identified in 2011 as sexually oriented businesses (as defined by the Land Development Code) by the Zoning Administrator following inspection(s) of the businesses. These businesses are listed below.

DBA Name	Address	Open Date
Adult Nightclubs		
Boom Boom Room Studio 54	6212 Two Notch Rd	8/18/1998
Club Liquid	5511 Forest Dr	5/30/2003
Club Pleazers	3050 Bluff Rd	10/15/1998

DBA Name	Address	Open Date
Chastity's (then Savannah's)	3722 River Drive	4/1/1997
Crush Gentleman's Club	3722 River Drive	7/20/2012
Heart Breaker's	800 Bush River Rd	10/3/2003
Mr. Lucky's	2605 Seminole Rd	4/11/2002
Laroice	106 Carrie Anderson Rd	10/2/2006
Lenox VIP Club, The (Mahogany)	6023 Two Notch Rd	10/18/2005
Platinum Plus	362 Jacob Rd	12/4/1992
Raw Night Club	5024 Two Notch Rd	3/25/2009
Stiletto's	7375 Two Notch Rd	8/26/2005
Adult Novelty Shops		
Fantasy Lingerie	800 Bush River Rd	9/27/2001
Nancy's Nook	3311 Broad River Rd	2/1/2000
This Is IT, Broad River	2831 Broad River Rd	7/1/2005
This Is IT, Two Notch	5024 Two Notch Rd	9/1/1997
Videos and Beyond	2729 Two Notch Rd	7/15/1998

Other businesses are suspected or known to be sexually oriented businesses, or associated with criminal activity by the Sheriff's Department, but have not yet been inspected by the Zoning Division to verify sexually oriented business activity. These businesses are listed below – some of which may have since closed its operations, or changed owners, prior to being further investigated. This list is not intended to be an all-inclusive list, as others may exist that have not yet come to the County's attention.

DBA Name	Address	Open Date
Bars and Nightclubs		
803 Event Center (Club Wet)	3717 Pine Belt	07/31/2014
Bada Bing	3717 Pinebelt	03/10/2005

DBA Name	Address	Open Date
Bliss	8605 Two Notch Rd	1/08/2010
Grind Out	Two Notch	
Taqueria Guadalajara	1807 Decker Blvd.	05/12/2003
Thee Whiskey Tavern	200 Zimalcrest Dr	12/01/2009
Novelty Shops		
Disturbin Da Peace	1945 Decker Blvd	8/1/2005
Foxes Video Rental	5445 Two Notch Rd	1/1/1993
Motels		
America's Best Inn	200 Zimalcrest Dr	6/19/2000
Grand Motel	3003 Two Notch Rd	8/1/2002
Star Motel	3727 Pine Belt Rd	1/3/2006
Western Inn & Suites	827 Bush River Rd	7/2/2000
Massage Parlors		
Best Massage Therapy New Energy Massage Therapy	1168 St Andrews Rd	10/1/2003
	Unknown	unknown

- This list of businesses does not include:
 - escort services that are advertised regularly in the *Free Times* newspaper
 - exotic dancers (contractors) at sexually oriented businesses.
- Be aware that some businesses, such as motels, will change owners, but the same name will be shown to the public. From an SOB standpoint, a business that once operated as an SOB with one owner may still be operating, but no longer as an SOB with a different, later owner.

Financial Impact

Depending upon the type of business, there may be various fees and taxes associated with the business. These include business licenses, Hospitality Taxes (food), and Business Personal Property Taxes. Businesses subject to the Local Accommodation Tax (such as motels) have not been included here. The sum for each year for each tax of what was paid and not paid by these businesses is shown below.

Summary: Fees and Taxes Paid

Year	Business License Tax	Hospitality Tax	Business Personal Property Tax	Total
2006	14,273.55	115,298.64	3,875.53	133,447.72
2011	77,513.20	84,956.28	4,826.41	167,295.89
2012	234.00	103,178.93	4,476.61	107,889.54
2013	1,101.45	64,603.75	2,574.19	68,279.39
2014	1,294.07	100.00	3,154.88	4,548.95
2015	1,289.48	369,385.79	3,660.22	374,335.49
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Total	97,060.23	760,209.64	22,567.84	879,837.71

Summary: Delinquent Fees and Taxes

Year	Business License Tax	Hospitality Tax	Business Personal Property Tax	Total
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2011	5,062.89	4,201.73	1,762.13	11,026.74
2012	78,304.03	2,238.93	2,014.73	82,557.68
2013	46,946.49	450.00	2,152.57	49,549.06
2014	46,497.00	100.00	250.01	46,847.01
2015	41,321.83	1,632.65	203.10	43,157.58
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Total	248,590.66	14,693.47	10,574.49	273,858.63
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- Business license, Hospitality Tax, and Local Accommodation Tax revenues, when missing, are estimated based on any revenues that are reported (for any of the three “revenue” taxes) and on revenues reported to the SC Department of Revenue.
- Delinquent business license fees do not include any under-reporting of revenue for business license purposes.
- Delinquent business license fees do not include the shortage of payments that were made using a rate for a non-sexually oriented business activity.
- Hospitality Taxes for 2016 are as of June 2016.
- Business Personal Property Taxes for 2016 are not due until January 2017. Therefore, no payments are considered delinquent until after that time.
- Payment for Business Personal Property Taxes, when missing, are estimated based on previous payments for this tax. If no payments were ever made, payments were estimated based on their business peers’ payments.

Current Status of Sexually Oriented Businesses

The current status of businesses identified by the Zoning Division in 2011 as operating as sexually oriented businesses are shown below:

DBA	Corporate Business Name	Open Date	Current Known Business Status	Business Close Date
Bars and Nightclubs				
Platinum Plus	Shadow Management Co., Inc.	12/4/1992	Open – Not Licensed	n/a
Laroice	Laroice, LLC	10/2/2006	Open – Not Licensed	n/a
Mr. Lucky's	Show Luv, Inc.	4/11/2002	Open – Not Licensed	n/a
Chastity's (then Savannah's)	S & B of Columbia, Inc.	4/1/1997	Closed	4/2/2012
Heart Breaker's	K.E.G., Inc	10/3/2003	Closed	4/2/2012

DBA	Corporate Business Name	Open Date	Current Known Business Status	Business Close Date
Boom Boom Room Studio 54	L & B Dynasty, Inc.	8/18/1998	Closed	9/8/2011
Club Liquid	Caldwell Entertainment	5/30/2003	Closed	2/11/2008
Club Pleazers	Rick's of S.C., Inc.	10/15/1998	Closed	12/19/2011
Crush Gentleman's Club	Blue Willow Group Inc	7/20/2012	Closed	9/20/2013
Lennox VIP Club, The (Mahogany)	Mahogany Group, Inc., The	10/18/2005	Closed	7/31/2012
Raw Night Club		3/25/2009	Closed	7/30/2012
Stiletto's	Universal Media 2, LLC	8/26/2005	Closed	4/16/2008
Novelty Shops				
Nancy's Nook	D.B.B.B., Inc	2/1/2000	Open – Licensed as Gift Store	n/a
This Is IT, Broad River	Broad River Video, LLC	7/1/2005	Open – Not Licensed	n/a
This Is IT, Two Notch	Flank III, LLC	9/1/1997	Open – Not Licensed	n/a
Fantasy Lingerie	R. J. K. & L Ventures, Inc	9/27/2001	Closed	5/29/2013
Videos and Beyond	Video Management, Inc.	7/15/1998	Closed	3/6/2012

The current status of other businesses, not initially inspected by the Zoning Division to verify sexually oriented business activities, are shown in the table below.

DBA	Corporate Business Name	Open Date	Current Known Business Status	Business Close Date
Bars and Nightclubs				
Bliss	Carolina Diversity, Inc.	1/8/2010	Open – Licensed as a Drinking Place	n/a
803 Event Center (Club Wet)		7/31/2014	Open – Licensed as a Promotor	n/a

DBA	Corporate Business Name	Open Date	Current Known Business Status	Business Close Date
Thee Whiskey Tavern	Fat Poodle Enterprises, Inc.	12/1/2009	Open -- Licensed as a Drinking Place	n/a
Taqueria Guadalajara		5/12/2003	Closed	4/30/2014
Bada Bing	More Than Black Olives, Inc.	3/10/2005	Closed	11/5/2013
Grind Out		unknown	Closed	unknown
Novelty Shops				
Disturbin Da Peace	Retro-Fever	8/1/2005	Closed	12/28/2010
Foxes Video Rental	Video Magic and Mags, II	1/1/1993	Closed	6/26/2008
Hotels				
Grand Motel	Luba Properties, LLC	8/1/2002	Open – Licensed as a Hotel	n/a
Star Motel	Shri Jairam, Inc	1/3/2006	Open – Licensed as a Hotel	n/a
America's Best Inn	AAA Hospitality, LLC	6/19/2000	Closed	11/20/2009
Western Inn & Suites	Mindip, Inc	7/2/2000	Closed	11/8/2012
Massage Parlors				
Best Massage Therapy		10/1/2003	Open	
New Energy Massage Therapy		Unknown	Unknown	Unknown

Next Steps

On November 10, 2016, several departments met to discuss how to coordinate efforts to address sexually oriented businesses. These departments included Administration, the Business Service Center, the Fire Marshal, the Legal Department, the Zoning Division, and the Sheriff's Department.

From the discussions that took place, four key avenues for greater efficiency and effectiveness of addressing sexually oriented businesses were identified:

- 1) Modify appropriate business license forms (i.e., Application for a New Business License and the Business License Renewal Form) to include questions regarding whether convictions exist for certain crimes;
- 2) Clarify through an ordinance the Sheriff's Department authority to enforce the County Codes;
- 3) Include the Sheriff's Department in the review process as business license renewal applications from businesses located on properties or business activities of interest identified by the Sheriff's Department are received; and
- 4) Reinstigate the practice of collaborative stakeholders' compliance inspections of properties or businesses of interest (including the Fire Marshal, Business Service Center, Sheriff's Department, Zoning, and the State Law Enforcement Agency as possible).

It is anticipated that as these avenues are planned and implemented, further collaboration among the relevant departments will continue.

Recommendation

- I recommend that this report be updated with the most current business information available.
- Once that information is updated, I recommend that efforts commence to collect past business license taxes from all applicable businesses *which are still open and operating* in accordance with the State Statute of Limitations, i.e., current year and three prior years.
- I further recommend that, to avoid potential legal liabilities, no efforts be initiated to collect business license penalties for business licenses not currently paid for and obtained from all applicable businesses which are still open and operating.



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4a Meeting Date: May 23, 2017

To: Greg Pearce, Chair, Administration & Finance Committee
From: Councilman Greg Pearce, District 6
Department: County Council

Item Subject Title: Council Motion: Hangar Leases: In November of last year I made a Motion for the County Legal Department to review the standard Hamilton-Owens Airport hangar lease. Legal has now completed its review, and it is now appropriate for Council to move toward finalizing any revisions or changes to the model agreement. As such, I move that this matter be forwarded to the appropriate committee of Council (A&F?) and then on to full Council to consider the standard lease

Action Taken by Committee previously: None.

- Options:**
1. Consider the motion and approve accordingly.
 2. Consider the motion and do not approve.

Motion Requested Today: Staff does not have recommended motion as this is being requested pursuant to a Council motion.

Staff Recommendation: Council's discretion. Staff will proceed as directed by County Council.

Impact of Action: Operating Budget: Not applicable.

Capital Budget: Not applicable.

Funding Amount/Source: There is no financial impact associated with finalizing the draft agreement.

Requested by: Councilman Greg Pearce, District 6

Staff Representative: County Administrator Gerald Seals

Outside Representative: None.

List of Attachments:

1. Detailed Request of Action
2. Draft Model Agreement

5/2/17
Date Submitted

Brandon Madden
Approved by the County Administrator's Office

All
Council District



REQUEST OF ACTION

Subject: Council Motion: Hangar Leases: In November of last year I made a Motion for the County Legal Department to review the standard Hamilton-Owens Airport hangar lease. Legal has now completed its review, and it is now appropriate for Council to move toward finalizing any revisions or changes to the model agreement. As such, I move that this matter be forwarded to the appropriate committee of Council (A&F?) and then on to full Council to consider the standard lease

A. Purpose

County Council is requested to consider a motion relative to hangar leases.

B. Background / Discussion

At the May 2, 2017 Council meeting, Councilman Pearce brought forth the following motion:

“Hangar Leases: In November of last year I made a Motion for the County Legal Department to review the standard Hamilton-Owens Airport hangar lease. Legal has now completed its review, and it is now appropriate for Council to move toward finalizing any revisions or changes to the model agreement. As such, I move that this matter be forwarded to the appropriate committee of Council (A&F?) and then on to full Council to consider the standard lease.”

The draft model agreement is attached.

There is no financial impact associated with finalizing the draft agreement.

C. Legislative / Chronological History

There is no legislative / chronological history associated with this request.

D. Alternatives

1. Consider the motion and approve accordingly.
2. Consider the motion and do not approve.

E. Final Recommendation

Council’s discretion. Staff will proceed as directed by County Council.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

HANGAR LEASE AGREEMENT

THIS LEASE AGREEMENT ("Agreement") is made and entered into this _____ day of _____, _____ by and between the County of Richland, State of South Carolina ("Lessor") and _____ ("Lessee"). The Fixed Base Operator, Eagle Aviation, Incorporated ("FBO"), is an agent of the Lessor for purposes of managing and administering this lease on the Lessor's behalf.

NOW THEREFORE, in consideration of the mutual promises and conditions hereinafter contained, the parties hereto agree as follows:

1. **LEASED PREMISES** – The Lessor does this day lease unto the Lessee, those certain premises described as hangar number: _____, owned by the County of Richland and more fully described and shown on a diagram of the leased premises maintained by the Lessor. The aircraft to be stored in the leased premises is described in Attachment A to this Agreement. In the event a different aircraft is proposed to be stored in the leased premises during the term of this Agreement after the commencement of the lease term, and Lessor approves of the different aircraft, such aircraft shall be described in Attachment A.

Lessor shall provide the Lessee with the basic hangar structure with the roof, framing, and doors in a good and workmanlike condition at the beginning of the Lease term. Lessee shall promptly advise Lessor should the hangar become damaged or require any repair.

2. **TERMS:**

- a. The term of the lease shall be for a period of _____ () month/s or year/s, commencing on the _____ day of _____, _____ and ending on the _____ day of _____, _____. This Agreement replaces any and all other agreements between the parties concerning these leased premises. The Lessee agrees to pay to Lessor a monthly rent of \$ _____ plus any taxes, charges or levies imposed by any governmental authority, payable in advance commencing on _____, and on the first day of each month thereafter. Rental payments are to be mailed or delivered to the agent of the Lessor:

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 1

Eagle Aviation, Inc.
2861 Aviation Way
West Columbia, South Carolina 29170

or to such other address as hereinafter directed by Lessor. Any rental payment received by Lessor more than five (5) days from the date due shall be subject to a late charge of twenty-five and no/100 (\$25.00) dollars, which late charge is immediately due and payable.

- b. Upon the execution of this Agreement, Lessee shall pay to Lessor a security deposit equal to the sum of one month's rent, unless a deposit equal to one month's rent has already been made by the Lessee for the hangar specified. Upon termination of this lease, Lessor shall promptly inspect the leased premises and if damages exist, ordinary wear excepted, cause such damages to be repaired with cost of such repairs to be assessed against the security deposit. If, during the term of the lease, Lessor is required to make repairs for damages determined to be caused by the Lessee or the Lessee's family, invitees, permittees or guests, the cost thereof may be deducted from the security deposit. In such event, Lessee shall have fifteen (15) days to restore said security deposit to its full sum. If, at the termination of this Agreement, no damage or arrearage exists, said security deposit shall be returned in full to Lessee. No interest will be paid to the Lessee on the Security Deposit.

3. USE OF LEASED PREMISES:

- a. The leased premises shall be used only as a storage facility for the aircraft owned or operated by Lessee or its affiliates or for other aeronautical purposes as defined by the FAA's policy on Use of Aeronautical Land and Facilities to include non-commercial construction of amateur-built or kit built aircraft; and maintenance, repair, or refurbishment of aircraft, but not the indefinite storage of nonoperational aircraft. The aircraft is identified in Attachment A of this Agreement. Only one (1) aircraft per hangar shall be permitted in units classified as "T" hangars.
- b. All activity and use by the Lessee shall be in strict compliance with all applicable statutes, ordinances, rules, orders, regulations and other requirements of the Federal, State, County and Municipal governments.
- c. No hangar shall be used as a business location or in any way to generate revenues or reimbursement to the Lessee incident to the sale of parts,

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 2

maintenance for hire, fuel sales, instruction for hire or other activity of a commercial or business nature.

d. Environmental requirements / Hazardous substances:

- 1) Definition – "Hazardous Substances" include any substances, materials, wastes, pollutants, or contaminants that, because of their quantity, concentration, or physical, chemical, or infectious characteristics, may be a health hazard or harm the environment when improperly generated, used, stored, handled, treated, discharged, disposed of, or leased.
- 2) As used herein, "Environmental Laws" include any and all federal, state, and local statutes, regulations, rules, and ordinances governing Hazardous Substances or relating to the protection of health or the environment and any similar or equivalent laws; and any implementing laws, regulations, rules and ordinances.
- 3) Tenant shall immediately notify the FBO and the Lessor [ATTN: Airport Director] upon becoming aware of: (i) any reportable leak, spill, release or disposal of a Hazardous Substance on, under, or adjacent to the airport or threat of or reasonable suspicion of any of the same; or (ii) any notice or communication from a governmental agency or any other person directed to the Lessee or any other person relating to such Hazardous Substances on, under, or adjacent to the airport or any violation of any federal, state, or local law, regulation or ordinance with respect to the airport or activities on the airport.
- 4) In the event of a leak, spill, or release of a Hazardous Substance on the Premises or the threat of or reasonable suspicion of the same, the Lessee shall immediately contact _____, at (803) _____.

- e. Aircraft maintenance – All maintenance or repair of aircraft, aircraft engines, or aircraft parts shall be conducted in accordance with Federal Aviation Regulations (FARs). These activities, performed on the Lessee's aircraft, which are performed by others for remuneration, shall also be by a licensed Mechanic / Avionics Technician permitted to operate at the airport by the Airport Director having met established licensing, bonding, and insurance coverage requirements. Such activities must be conducted in a manner that in Lessor's judgment does not interfere with neighboring tenants, does not impose on hangar operations, and does not affect the cleanliness, safety, or image of the airport.

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 3

See Paragraph 3.c. regarding using a hangar space as a business location by the Lessee.

- f. **Security** – Lessee shall not compromise airport security or allow unauthorized access to the airport perimeter or to Lessee's hangar. Lessor shall publish reasonable standards to address practices that are necessary to ensure the security of the Airport and aircraft operations. Such standards shall be provided to Lessee. Airport Identification Badges (AIDB) shall not be used by anyone other than those to whom they have been issued. Hangar keys shall not be reproduced by Lessee or any other person except Lessor.
- g. **Fire protection** – The Lessee shall exercise due and reasonable care and caution to prevent and control fire on the Airport and to that end shall also pay a reasonable fee imposed by the Fixed Base Operator (FBO) as an agent of the Lessor to provide and maintain such fire suppression and other fire protection equipment as may be required pursuant to governmental laws, rules and regulations for the purpose of protecting the Improvements to the airport adequately and restricting the spread of any fire from the airport to any adjacent property. Specifically, the use of welding machines, cutting torches, and space heaters are prohibited, as is the storage of propane tanks.

4. MAINTENANCE OF THE HANGAR:

- a. Other than as stated herein, the Lessee hereby accepts the premises "AS IS" at the beginning of this lease and agrees to maintain said premises in the same condition and order, excepting ordinary wear and tear and to reimburse and indemnify Lessor for any damage to the premises or appurtenances caused by an act or negligence of Lessee, his/her agents, servants, employees, permittees, guests or invitees.
- b. Any additions, alterations, modifications or construction by the Lessee relating to the leased premises must be expressly approved, in writing, by the Lessor before commencement of such addition, alteration, modification or construction. Lessee will ensure that all work will be in strict compliance with applicable building and fire codes. Any addition, fixtures or improvements which may be made by Lessee shall be removed or become the property of the Lessor and be surrendered with the premises at the termination of this lease at the direction of the Lessor. Examples of such alterations include, but are not limited to: floor painting or other coverings, added light fixtures or electrical system modifications,

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 4

wall coverings and painting, removal of dividing wall sections, or antenna installations or other penetrations to the walls or roof.

- c. Lessee agrees to keep the leased premises free of any mechanics' or materialmen's liens or other liens of any kind or nature for any work done, labor performed, or material furnished thereon at the instance of the Lessee, and Lessee further agrees to indemnify and save harmless Lessor and FBO from and against any and all claims, liens, demands, costs and expenses of whatsoever nature for any such work done, labor performed or materials furnished.
- d. The Lessor shall have the right to inspect the Leased Premises at reasonable times. Notwithstanding the foregoing, Lessee acknowledges that the Lessor may enter the Leased Premises at any time for the purpose of responding to an emergency that endangers either life or property involving the Leased Premises. Lessee's failure to comply with a reasonable request by the Lessor for access to the Leased Premises shall also constitute a breach of this Agreement and may result in termination of the Agreement.

5. ASSIGNMENT OR SUBLEASE – The Lessee shall not assign this lease, nor sublet the premises, or any part thereof except as is hereinafter provided and then only with the Lessor's prior written permission.

- a. Assignment of this lease is permitted when the Lessee sells his/her aircraft to another party and the purchaser wishes to retain the hangar. In that event, the purchaser shall apply to the Lessor for transference of the lease within ten (10) days of the sale.
- b. Subletting is permitted only when the Lessee has sold his/her aircraft and is in the process of obtaining a replacement aircraft. In that event, Lessee may sublease to another tenant for a period not to exceed six (6) months. Lessee must notify Lessor of such sublease within ten (10) days of the agreement and provide the name and address of the Sublessee. If within the six (6) months period beginning on the date of sale of Lessee's original aircraft, Lessee has not obtained a replacement aircraft, this lease is deemed terminated and the Sublessee after ten (10) days' notice, must remove his/her aircraft from the leased premises.
- c. Lessee must give notice to Lessor of any ownership changes in aircraft stored in or on leased premises within ten (10) days of the change of ownership and a new lease executed.

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 5

- d. In the event Lessee's aircraft is sold, substantially damaged or destroyed, or if Lessee's aircraft becomes based at another airport, Lessee may terminate this Agreement and shall be liable for the remainder of the Agreement term, or for ninety (90) days following Lessee's notice of termination for any reason set forth in this paragraph, whichever period is shorter. Lessor will make a good faith effort to re-rent the hangar as quickly as is practical. In the event the hangar is rented to another tenant, Lessee's obligation to pay rent shall end as of the date of the successor tenant's lease agreement.

6. DESTRUCTION OF PREMISES:

- a. In the event the premises shall be demolished, destroyed, or damaged by fire or other casualty during the term of the lease, whereby the leased premises are not rendered tenantable within ninety (90) days therefrom, either party may cancel this lease. Cancellation notice must be given in writing and rent shall be due to the date of the fire or casualty.
- b. It is hereby agreed and understood between the parties that if Lessor decides to remodel, alter or demolish all or any part of the leased premises, the Lessee agrees to vacate the premises upon receipt of sixty (60) days written notice.

7. HOLD HARMLESS:

- a. Lessee covenants and agrees to indemnify, defend and hold Lessor, the Richland County Airport Commission, and the FBO and its agents harmless from and against any and all fines, suits, claims, demands, actions, and causes of action for personal injury, death, or property damage arising out of or in connection with any act or omission of the Lessee, of the Lessee's employees, guests, invitees, permittees or agents on or in connection with the use of the leased premises, except where such event or occurrence arises out of the intentional acts, omissions, or gross negligence of the Lessor, its agents, employees, or assigns.
- b. All aircraft or other personal property placed or moved in the leased premises shall be at the risk of the Lessee or owner thereof, except where such event or occurrence arises out of the intentional acts, omissions, or gross negligence of the Lessor, its agents, employees, or assigns. Lessor shall not be liable for any damage to said personal property or Lessee arising from the intentional or negligent act of any Co-Lessee or any other person whomsoever, nor for any

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 6

damage caused by winds, rains, roof leakage, or theft. Lessee acknowledges, understands and agrees that the relationship created hereunder is that of Lessor and Lessee and no bailment is created or intended, whether express or implied.

8. **LESSOR'S LIEN** – The Lessee hereby pledges and assigns to the Lessor all of the personal property, goods and chattels which shall or may be brought or put on said premises as security for the payment of the rent reserved herein, and the Lessee agrees that the said lien may be enforced by distress foreclosure or otherwise at the election of Lessor, and Lessee agrees to pay Lessor's reasonable attorney fees incurred thereby.
9. **TERMINATION** – Lessee's failure to timely pay rent, or to comply with any other terms of this Lease, after having been given a reasonable right to cure of ten (10) days' after notice shall constitute a breach of this Agreement, upon which Lessor may terminate this Agreement and enter or cause its agents to enter the premises and remove all persons and property therefrom. In the event the Lessee holds over upon termination by Lessor, Lessor shall be entitled to recover from Lessee double the sum of rent payable hereunder for the length of any such holdover.
10. **PRORATION OF RENT** – In the event the term of this lease commences on a day other than the first day of a month, the rent reserved hereunder shall be prorated for that portion of the month until the first day of the following month and shall be payable in advance.
11. **TIME OF ESSENCE** – It is understood and agreed between the parties that time is of the essence of this lease and this applies to all terms and conditions contained herein.
12. **NOTICES** – All notices hereunder shall be mailed or delivered to the respective parties at the addresses indicated below.
13. **INSURANCE** – At the commencement of this Lease and as long as this Lease is in effect, the Lessee shall maintain Aircraft and Premises liability insurance coverage with insurers of recognized reputation and security authorized to conduct business in the State of South Carolina.

Lessee shall carry hull insurance coverage on the aircraft and provide Lessor proof of such coverage within ten (10) business days following request, unless waived.

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 7

- a. No person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the airport and its facilities.
- b. The Lessee shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
- c. That in the event of a breach of any of the above nondiscrimination covenants, the Lessor shall have the right to terminate the Agreement and to re-enter the Hangar as if said Agreement had never been made or issued. This provision shall not be effective until the procedures of Title 49, Code of Federal Regulations, Part 21 are followed and completed, including exercise or expiration of appeal rights.

17. RULES AND REGULATIONS / MINIMUM STANDARDS – The Lessee shall comply with rules and regulations adopted by Richland County, its Airport Commission, its Airport Director, or his agent or designee, with respect to the use of, entry on, access to, or possession of Lessor’s property at the Airport or contiguous property owned by the Lessor, as the same may change from time-to-time. Copies of current rules and regulations and Airport Minimum Standards as contained in the *Airport Operations Manual* may be obtained during normal office hours at the Office of the Airport Director.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year above written.

LESSEE:

LESSOR or AGENT:

(Signature)

(Signature)

By: _____
(Print Name)

By: _____
(Print Name)

Address: _____

Address: 1400 Jim Hamilton Blvd
Columbia, South Carolina 29205

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 9

Hangar Lease Agreement Lessee Information Sheet (Attachment 'A')
(Please print neatly)

Date: _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Primary Telephone Number: _____

Secondary Telephone Number: _____

E-mail address: _____

Aircraft to be stored Information:

1. Manufacturer: _____ Model: _____
Registration #: _____

2. Manufacturer: _____ Model: _____
Registration #: _____

Other individuals authorized by me for access to the hangar and its stored aircraft:

1. Name: _____

2. Name: _____

3. Name: _____

4. Name: _____

5. Name: _____

The above information is complete and accurate.

(Signature of Lessee)

Jim Hamilton – LB Owens Airport (CUB)
Lessor or Agent: _____ Lessee: _____

Hangar Lease Agreement
Page 10

**Jim Hamilton – L.B. Owens Airport
Hangar Lease**

Right of Access provision that has been included in the Airport's standard hangar lease since at least 1990:

Section 4.d.

Lessor and its agents, Richland County Airport Commission and authorized governmental agencies will have reasonable right of entry, without notice, to enter upon the premises to inspect for compliance with the terms of this lease and with applicable governmental regulations, make repairs or to exhibit the premises.

Sample Hangar Lease Access Provisions

1. Charleston Municipal Airport Use and Occupancy Agreement Hangar Space

“Operation reserves the right...to enter the Space at all reasonable times for the purpose of making any inspection it may deem appropriate to the proper enforcement of any of the covenants and conditions of this Agreement or the Master Lease Agreement or to undertake repairs, additions or alterations to the Space.”

2. Hangar Lease Agreement, County Commissioners for St. Mary's County, Maryland

“Lessor reserves the right to inspect the Leased Premises without notice to the Lessee.”

3. Terrell Municipal Airport Hangar Lease Agreement, Terrell, Texas

“Premises. The premises leased shall be the aircraft hanger (sic) located on Row _____, Hangar # _____, together with reasonably necessary rights of access to the same.”

4. Chattanooga Metropolitan Airport Authority Lease Agreement

“Authority may enter the Space to inspect same, to show same to prospective tenants or purchasers, to make any repairs required by the circumstances, to verify compliance or non-compliance by Tenant with its obligations under this Agreement, and to take such other action with respect to the Space as is permitted by any provision of this Agreement.”





in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM-118, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Saab AB, Saab Aeronautics' EASA Design Organisation Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(m) Related Information

Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2014-0255, dated November 25, 2014, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-7524.

(n) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(3) The following service information was approved for IBR on July 20, 2016.

(i) Saab Service Bulletin 2000-38-011, dated October 22, 2014.

(ii) Reserved.

(4) The following service information was approved for IBR on September 9, 2014 (79 FR 45337, August 5, 2014).

(i) Saab Service Bulletin 2000-38-010, dated July 12, 2013.

(ii) Saab Service Newsletter SN 2000-1304, Revision 01, dated September 10, 2013, including Attachment 1 Engineering Statement to Operator 2000PBS034334, Issue A, dated September 9, 2013.

(5) For service information identified in this AD, contact Saab AB, Saab Aeronautics, SE-581 88, Linköping, Sweden; telephone +46 13 18 5591; fax +46 13 18 4874; email saab340techsupport@saabgroup.com; Internet <http://www.saabgroup.com>.

(6) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(7) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on May 31, 2016.

Michael Kamzycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2016-13740 Filed 6-14-16; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter I

[Docket No. FAA 2014-0463]

Policy on the Non-Aeronautical Use of Airport Hangars

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of final policy.

SUMMARY: This action clarifies the FAA's policy regarding storage of non-aeronautical items in airport facilities designated for aeronautical use. Under Federal law, airport operators that have accepted federal grants and/or those that have obligations contained in property deeds for property transferred under various Federal laws such as the Surplus Property Act generally may use airport property only for aviation-related purposes unless otherwise approved by the FAA. In some cases, airports have allowed non-aeronautical storage or uses in some hangars intended for aeronautical use, which the FAA has found to interfere with or entirely displace aeronautical use of the hangar. At the same time, the FAA recognizes that storage of some items in a hangar that is otherwise used for aircraft storage will have no effect on the aeronautical utility of the hangar. This action also amends the definition of aeronautical use to include construction of amateur-built aircraft and provides additional guidance on permissible non-aeronautical use of a hangar.

DATES: The policy described herein is effective July 1, 2017.

FOR FURTHER INFORMATION CONTACT: Kevin C. Willis, Manager, Airport Compliance Division, ACO-100, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267-3085; facsimile: (202) 267-4829.

ADDRESSES: You can get an electronic copy of this Policy and all other documents in this docket using the Internet by:

- (1) Searching the Federal eRulemaking portal (<http://www.faa.gov/regulations/search>);
- (2) Visiting FAA's Regulations and Policies Web page at (http://www.faa.gov/regulations_policies); or
- (3) Accessing the Government Printing Office's Web page at (<http://www.gpoaccess.gov/index.html>).

You can also get a copy by sending a request to the Federal Aviation

Administration, Office of Airport Compliance and Management Analysis, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3085. Make sure to identify the docket number, notice number, or amendment number of this proceeding.

SUPPLEMENTARY INFORMATION:

Authority for the Policy: This document is published under the authority described in Title 49 of the United States Code, Subtitle VII, part B, chapter 471, section 47122(a).

Background

Airport Sponsor Obligations

In July 2014, the FAA issued a proposed statement of policy on use of airport hangars to clarify compliance requirements for airport sponsors, airport managers, airport tenants, state aviation officials, and FAA compliance staff. (79 Federal Register (FR) 42483, July 22, 2014).

Airport sponsors that have accepted grants under the Airport Improvement Program (AIP) have agreed to comply with certain Federal policies included in each AIP grant agreement as sponsor assurances. The Airport and Airway Improvement Act of 1982 (AIAA) (Pub. L. 97-248), as amended and recodified at 49 United States Codes (U.S.C.) 47107(a)(1), and the contractual sponsor assurances require that the airport sponsor make the airport available for aviation use. Grant Assurance 22, *Economic Nondiscrimination*, requires the sponsor to make the airport available on reasonable terms without unjust discrimination for aeronautical activities, including aviation services. Grant Assurance 19, *Operation and Maintenance*, prohibits an airport sponsor from causing or permitting any activity that would interfere with use of airport property for airport purposes. In some cases, sponsors who have received property transfers through surplus property and non-surplus property agreements have similar federal obligations.

The sponsor may designate some areas of the airport for non-aviation use,¹ with FAA approval, but aeronautical facilities of the airport must be dedicated to use for aviation purposes. Limiting use of aeronautical facilities to aeronautical purposes ensures that airport facilities are available to meet aviation demand at the airport. Aviation tenants and aircraft owners should not be displaced by non-

¹ The terms "non-aviation" and "non-aeronautical" are used interchangeably in this Notice.

aviation commercial uses that could be conducted off airport property.

It is the longstanding policy of the FAA that airport property be available for aeronautical use and not be available for non-aeronautical purposes unless that non-aeronautical use is approved by the FAA. Use of a designated aeronautical facility for a non-aeronautical purpose, even on a temporary basis, requires FAA approval. See FAA Order 5190.6B, *Airport Compliance Manual*, paragraph 22.6, September 30, 2009. The identification of non-aeronautical use of aeronautical areas receives special attention in FAA airport land use compliance inspections. See Order 5190.6B, paragraphs 21.6(f)(5).

Areas of the airport designated for non-aeronautical use must be shown on an airport's Airport Layout Plan (ALP). The AAI, at 49 U.S.C. 47107(a)(16), requires that AIP grant agreements include an assurance by the sponsor to maintain an ALP in a manner prescribed by the FAA. Sponsor assurance 29, *Airport Layout Plan*, implements § 47107(a)(16) and provides that an ALP must designate non-aviation areas of the airport. The sponsor may not allow an alteration of the airport in a manner inconsistent with the ALP unless approved by the FAA. See Order 5190.6B, paragraph 7.18, and Advisory Circular 150/5070-6B, *Airport Master Plans*, Chapter 10.

Clearly identifying non-aeronautical facilities not only keeps aeronautical facilities available for aviation use, but also assures that the airport sponsor receives at least Fair Market Value (FMV) revenue from non-aviation uses of the airport. The AAI requires that airport revenues be used for airport purposes, and that the airport maintain a fee structure that makes the airport as self-sustaining as possible. 49 U.S.C. 47107(a)(13)(A) and (b)(1). The FAA and the Department of Transportation Office of the Inspector General have interpreted these statutory provisions to require that non-aviation activities on an airport be charged a fair market rate for use of airport facilities rather than the aeronautical rates. See *FAA Policies and Procedures Concerning the Use of Airport Revenue*, (84 FR 7696, 7721, February 16, 1999) (FAA Revenue Use Policy).

If an airport tenant pays an aeronautical rate for a hangar and then uses the hangar for a non-aeronautical purpose, the tenant may be paying a below-market rate in violation of the sponsor's obligation for a self-sustaining rate structure and FAA's Revenue Use Policy. Confining non-aeronautical activity to designated non-aviation areas

of the airport helps to ensure that the non-aeronautical use of airport property is monitored and allows the airport sponsor to clearly identify non-aeronautical fair market value lease rates, in order to meet their federal obligations. Identifying non-aeronautical uses and charging appropriate rates for these uses prevents the sponsor from subsidizing non-aviation activities with aviation revenues.

FAA Oversight

A sponsor's Grant Assurance obligations require that its aeronautical facilities be used or be available for use for aeronautical activities. If the presence of non-aeronautical items in a hangar does not interfere with these obligations, then the FAA will generally not consider the presence of those items to constitute a violation of the sponsor's obligations. When an airport has unused hangars and low aviation demand, a sponsor can request the FAA approval for interim non-aeronautical use of a hangar, until demand exists for those hangars for an aeronautical purpose. Aeronautical use must take priority and be accommodated over non-aeronautical use, even if the rental rate would be higher for the non-aeronautical use. The sponsor is required to charge a fair market commercial rental rate for any hangar rental or use for non-aeronautical purposes. (64 FR 7721).

The FAA conducts land use inspections at 18 selected airports each year, at least two in each of the nine FAA regions. See Order 5190.6B, paragraph 21.1. The inspection includes consideration of whether the airport sponsor is using designated aeronautical areas of the airport exclusively for aeronautical purposes, unless otherwise approved by the FAA. See Order 5190.6B, paragraph 21.6.

The Notice of Proposed Policy

In July 2014, the FAA issued a notice of proposed policy on use of hangars and related facilities at federally obligated airports, to provide a clear and standardized guide for airport sponsors and FAA compliance staff. (79 FR 42483, July 22, 2014). The FAA received more than 2,400 comments on the proposed policy statement, the majority from persons who have built or are in the process of building an amateur-built aircraft. The FAA also received comments from aircraft owners, tenants and owners of hangars, and airport operators. The Aircraft Owners and Pilots Association (AOPA) and the Experimental Aircraft Association (EAA) also provided comments on behalf of their membership. Most of the

comments objected to some aspect of the proposed policy statement. Comments objecting to the proposal tended to fall into two general categories:

- The FAA should not regulate the use of hangars at all, especially if the hangar is privately owned.
- While the FAA should have a policy limiting use of hangars on federally obligated airports to aviation uses, the proposed policy is too restrictive in defining what activities should be allowed.

Discussion of Comments and Final Policy

The following summary of comments reflects the major issues raised and does not restate each comment received. The FAA considered all comments received even if not specifically identified and responded to in this notice. The FAA discusses revisions to the policy based on comments received. In addition, the FAA will post frequently asked Questions and Answers regarding the Hangar Use Policy on www.faa.gov/airport-compliance. These Questions and Answers will be periodically updated until FAA Order 5190.6B is revised to reflect the changes in this notice.

1. *Comment:* Commenters stated that the FAA should defer to local government and leave all regulation of hangar use to the airport operator.

Response: The FAA has a contract with the sponsor of an obligated airport, either through AIP grant agreements or a surplus property deed, to limit the use of airport property to certain aviation purposes. Each sponsor of an obligated airport has agreed to these terms. The FAA relies on each airport sponsor to comply with its obligations under this contract. To maintain a standardized national airport system and standardized practices in each of the FAA's nine regional offices, the agency issues guidance on its interpretation of the requirements of the AIP and surplus property agreements. It falls to the local airport sponsor to implement these requirements. The FAA allows airport sponsors some flexibility to adapt compliance to local conditions at each airport.

However, some airport sponsors have adopted hangar use practices that led to airport users to complain to the FAA. Some airport users have complained that sponsors are too restrictive, and fail to allow reasonable aviation-related uses of airport hangars. More commonly, aircraft owners have complained that hangar facilities are not available for aircraft storage because airport sponsors have allowed the use of hangars for purposes that are unrelated to aviation,



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4b Meeting Date: May 23, 2017

To: Greg Pearce, Chair, Administration & Finance Committee
From: Jennifer Wladischkin, Assistant Manager
Department: Procurement

Item Subject Title: Award of the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project

Action Taken by Committee previously: None.

- Options:**
1. Approve the request to award the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.
 2. Do not approve the request to award the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.

Motion Requested Today: Award the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.

Staff Recommendation: Staff recommends awarding the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.

Impact of Action: Operating Budget: Not applicable.

Capital Budget: The cost for the project is \$867,000.

Funding Amount/Source: .

Requested by: Jennifer Wladischkin, Assistant Manager

Staff Representative: Jennifer Wladischkin, Assistant Manager; Shahid Khan, Utilities Director

Outside Representative: None.

List of Attachments:

1. Detailed Request of Action

5/18/17
Date Submitted

Brandon Madden
Approved by the County Administrator's Office

1
Council District



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

REQUEST OF ACTION

Subject: Award of the Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project

A. Purpose

County Council is requested to approve the award of The Broad River Wastewater Treatment Facility, (BRWWTF), and UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.00. The funding will come from the BRWWTF construction budget.

B. Background / Discussion

The SCDHEC Consent Agreement 15-011W given to Richland County Utilities, (RCU), requires RCU to upgrade the existing UV Disinfection system as Phase I, and to build a new UV Disinfection system as part of Phase II.

Short-Term Improvements (Phase I)

The short term improvements involve the capital improvement of the existing UV equipment and include the following:

- Install new Glasco UV equipment in the existing UV basins and decommission the existing Ozonia UV system completely.
- Improvements to the electrical and PCMS, (Plant Condition Management Software systems), necessary to make the recommended improvements; and to monitor and control the UV system from the BRWWTF control room using the HMI, (human-machine interface device).

The short-term phase I project has been awarded and is in process to start construction. The anticipated date of completion for the short improvements is June 2017.

Long-Term Improvements (Phase II)

The study was completed by RCU's consultant, Constantine Engineering Group, who recommended that while the short term improvements will increase the reliability and adequacy of the disinfection system that for the long term, it was recommended RCU provide redundancy in the overall disinfection system would be a great improvement serving the future needs of Richland County and the environment. The consultant has recommended a parallel UV system to be designed and installed to accomplish the above stated objective. We anticipate these improvements to take place during year 2017-2018, subject to review and approval of the Council.

C. Legislative / Chronological History

- September 2016 – Richland County Utilities received County Council Ordinance 034-16HR
- October 2016 – Richland County Utilities received the funding approval letter from administration.
- November 2016 – The surveying was completed for the project.

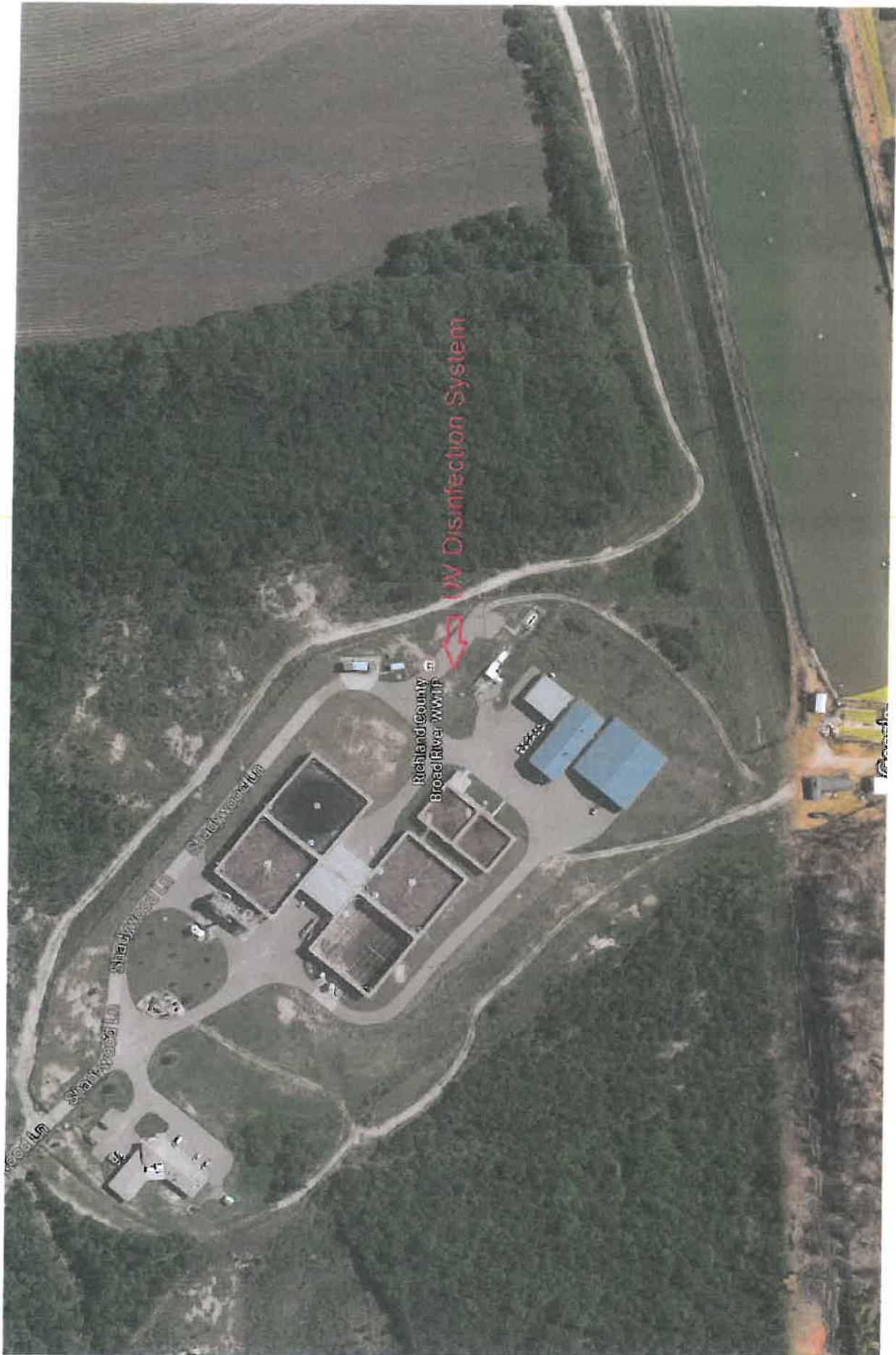
- February 2017 – Construction plans were finalized, and bid # RC-034-B-2017 was advertised.
- April 2017 – Bid Opening was held on 4/19/2017 (See attached bid tabulation). Republic Contracting Corporation was the lowest responsive, responsible bidder with a bid of \$867,000.00.

D. Alternatives

1. Approve the request to award The Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.00.
2. Do not approve the request to award The Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.00.

E. Final Recommendation

It is recommended that Council proceed with awarding request to award The Broad River Wastewater Treatment Facility UV Disinfection System 2017 Project to Republic Contracting Corporation in the amount of \$867,000.00.





April 25, 2017

Mr. Jani Tariq Hussain, Manager/Special Projects
Richland County Utilities Department
7525 Broad River Road
Irmo, SC 29063

**RE: Broad River WWTP Upgrade UV Disinfection Improvements
RC-034-B-2017
Richland County, SC**

Dear Jani:

Sealed bids for the referenced project were received at 2.00 P.M. on April 19, 2017 at Richland County's Office of Procurement located at 2020 Hampton Street, Suite 3064, Columbia, SC. Each of the sealed bids were publicly opened and read aloud. A total of three bids were received ranging from a low bid of \$867,000.00 to a high bid of \$1,178,000.00. The engineer's opinion of probable construction cost was \$1,035,078.00. The apparent low bidder for the project is Republic Contracting Corporation from Columbia, SC.

Based on our investigation, Republic Contracting Corporation has the appropriate Contractor's licenses, bonding capacity and experience to complete the project. All other documentation required at the time of bid is satisfactory and in compliance with the bidding documents.

Enclosed are the Certified Bid Tabulation and the Notice of Award (NOA). Once approved by Council, please complete NOA and return to our office. If you should have any questions, please do not hesitate to contact me.

Very truly yours,

CONSTANTINE ENGINEERING, INC.

John D. Peake, Jr.
Vice President & Regional Manager

440711, Andrews Road
Suite 3
Columbia, SC 29210
303-462-5258
www.togaeng.com



RICHLAND COUNTY
 PROCUREMENT DEPT
 2017 APR 19 PM 2:00

BIDS RECEIVED

PROJECT: Broad River WWTP Upgrade UV Disinfection Improvements
 RC-034-B-2017
 Richland County, SC

CEI PROJECT NO.: 100342.02

PLACE: Richland County Procurement Office Conference Room
 2020 Hampton Street, Suite 3064
 Columbia, SC 29204

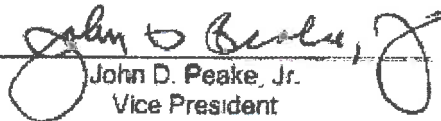
DATE: April 19, 2017

TIME: 2:00 p.m.

CONTRACTOR	AMOUNT OF BID	ORDER OF BIDS
Haron Construction Co., Inc. <i>87. (no bid)</i>	1,778,000.00 <i>87.</i>	
Harper Corporation	\$1,178,000.00	
Level Utilities LLC	\$989,500.00	
McClann & Associates, Inc. <i>87. (no bid)</i>	867,000.00 <i>87.</i>	
Republic Contracting Corporation	\$867,000.00	



**CERTIFIED AS A TRUE AND CORRECT
TABULATION OF BIDS RECEIVED**


John D. Peake, Jr.
Vice President

CERTIFIED BIDS RECEIVED

PROJECT: Broad River WWTP Upgrade UV Disinfection Improvements
RC-034-B-2017
Richland County, SC

CEI PROJECT NO.: 100342.02

PLACE: Richland County Procurement Office Conference Room
2020 Hampton Street, Suite 3064
Columbia, SC 29204

DATE: April 19, 2017

TIME: 2:00 p.m.

CONTRACTOR	AMOUNT OF BID	ORDER OF BIDS
Republic Contracting Corporation	\$867,000.00	1
Level Utilities LLC	\$989,500.00	2
Harper Corporation	\$1,178,000.00	3



REQUEST OF ACTION SUMMARY SHEET

Agenda Item No.: 4c Meeting Date: May 23, 2017

To: Greg Pearce, Chair, Administration & Finance Committee
From: Library c/o Kevin Bronson, Assistant County Administrator
Department: County Administrator’s Office

Item Subject Title: Sale of County Property

Action Taken by None.
Committee previously:

- Options:**
1. Consider the request and authorize the execution of a contract to sale the property.
 2. Consider the request and do not authorize the execution of a contract to sale the property.

Motion Requested Authorize the execution of a contract to sale the property.

Today:

Staff Recommendation: Staff recommends authorizing the execution of a contract to sale the property. If approved by Council, an ordinance will be required (three readings and a public hearing).

Impact of Action: Operating Budget: Not applicable.

Capital Budget: Not applicable.

Funding To be discussed in Executive Session.
Amount/Source:

Requested by: Library c/o Kevin Bronson, Assistant County Administrator

Staff Representative: Kevin Bronson, Assistant County Administrator

Outside Representative: Library Executive Director Melanie Huggins

List of Attachments:

1. Detailed Request of Action
2. Contractual Information to be provided in Executive Session

5/18/17
Date Submitted

Brandon Madden
Approved by the County Administrator’s Office

8
Council District



REQUEST OF ACTION

Subject: Sale of County Property

A. Purpose

County Council is being requested to authorize the execution of a contract to sale county-owned property located at 1 Summit Parkway.

B. Background / Discussion

The Library is seeking approval to sell the county owned property located at 1 Summit Parkway, which was closed last year in connection with the opening of the new Sandhills Library branch. The property was given to the County for the Library in 1992 by the developer of the Summit. The property included a reverter in the deed, providing that whenever the Library ceased to use the property as a library, ownership of the real property would revert back to the developer, provided however, the developer would either have to pay for the cost of the improvements or waive the reverter.

The original developer's successor in interest elected to waive the reverter rather than pay for the costs of improvements and claim ownership of the property, since the developer no longer had any active interest in the development. The property is now free of that restriction.

Discussions related to the contractual information associated with this request are appropriate for Executive Session.

C. Legislative / Chronological History

There is no legislative / chronological history associated with this request.

D. Alternatives

1. Consider the request and authorize the execution of a contract to sale county-owned property located at 1 Summit Parkway.
2. Consider the request and do not authorize the execution of a contract to sale county-owned property located at 1 Summit Parkway.

E. Final Recommendation

Staff recommends authorizing the execution of a contract to sale county-owned property located at 1 Summit Parkway.. If approved by Council, an ordinance will be required (three readings and a public hearing).

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___17HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE FOUR HUNDRED THIRTY THREE THOUSAND NINE HUNDRED EIGHTY EIGHT DOLLARS (\$433,988) TO INCREASE FUNDING TO THE BOARD OF VOTER REGISTRATION & ELECTIONS DEPARTMENT SO AS TO CREDIT RECEIVED REIMBURSEMENT AMOUNTS FOR COST OF CONDUCTING ELECTIONS.

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 cover all Elections and Voter Registration Department expenses related to the State Elections Commission: 2016 Statewide Primary Elections, 2016 General Election. Including expenses related to the City of Columbia: 2017 District IV Special Election. Therefore, the Fiscal Year 2016-2017 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2016 as amended:	\$ 1,384,770
Appropriation of Reimbursement Balance:	\$ <u>433,988</u>
Total Reimbursed amount as Amended:	\$ 1,818,758

EXPENDITURES

Expenditures appropriated July 1, 2016 as amended:	\$ 1,384,770
Increase to Board of Voter Registration Department Budget:	\$ <u>433,988</u>
Total General Fund Expenditures as Amended:	\$ 1,818,758

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 _____, 2017.

RICHLAND COUNTY COUNCIL

BY: _____
Sandra Dickerson, Chair

ATTEST THIS THE ____ DAY
OF _____, 2017

Michelle Onley
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:

SOUTH CAROLINA

)

)

RICHLAND COUNTY

)

A RESOLUTION

COMMITTING TO NEGOTIATE A FEE-IN-LIEU OF *AD VALOREM* TAXES AGREEMENT BETWEEN RICHLAND COUNTY AND PROJECT FLAG; IDENTIFYING THE PROJECT; AND OTHER MATTERS RELATED THERETO

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

WHEREAS, Project Flag, an entity whose name cannot be publicly disclosed at this time (“Company”), desires to invest capital in the County in order to expand its manufacturing facility in the County (“Project”);

WHEREAS, the Project is anticipated to result in an investment of approximately \$9,000,000 in taxable personal property over five (5) years and the retention of approximately 170 full-time equivalent jobs; and

WHEREAS, as an inducement to Company has requested that the County negotiate an agreement (“Agreement”), which provides for FILOT Payments with respect to the portion of the Project which constitutes economic development property, as defined in the Act.

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

Section 1. This Resolution is an inducement resolution for this Project for purposes of the Act.

Section 2. County Council agrees to enter into the Agreement, which provides for FILOT Payments with respect to the portion of the Project which constitutes economic development property. The further details of the FILOT Payments and the agreement will be prescribed by subsequent ordinance of the County to be adopted in accordance with South Carolina law and the rules and procedures of the County.

Section 3. County Council identifies and reflects the Project by this Resolution, therefore permitting expenditures made in connection with the Project before the date of this Resolution to qualify as economic development property, subject to the terms and conditions of the Agreement and the Act.

Section 4. This Resolution is effective after its approval by the County Council.

RESOLVED: [DATE]

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk to County Council



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Jonathan M. Harvey

Home Address: 3614 Northshore Road

Telephone: (home) 803-779-3363 (work) 803-779-3363

Office Address: 1701 Richland Street Columbia, S.C. 29201

Email Address: Harveylawfirm@gmail.com

Educational Background: Univ of Georgia BA cum laude 1977, USC J.D. 1981

Professional Background: Attorney

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: River Alliance

Reason for interest: The River Alliance performs a vital function in preserving resources & promoting inter governmental cooperation

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I have prior background in serving on Board GICC, East Richland County Public Service District, and as Sec/Treasurer of SCACAL for over a decade

Presently serve on any County Committee, Board or Commission? N/A

Any other information you wish to give? In addition to Board Experience Background in Safety Related Issues

Recommended by Council Member(s):

Hours willing to commit each month: As needed

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all

Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No ✓

If so, describe: _____

Jaral Hays
Applicant's Signature

April 24, 2017
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>4-28-17</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

Law Office of
JONATHAN HARVEY
Attorney at Law

Tel: 803-779-3363
Fax: 803-779-3364
E-mail: harveylawfirm@gmail.com

1701 Richland Street
Columbia, South Carolina 29201

April 25, 2017

Via E-Mail and US Mail
rccocd@rcgov.us

Richland County Council
Attn: Clerk of Counsel
2020 Hampton Street
PO Box 192
Columbia, SC 29202

Re: River Alliance Board

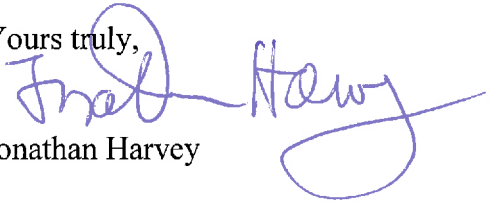
Dear Sirs:

I am pleased to enclose an original and a copy of an Application for the River Alliance Board.

Please time stamp or initial the enclosed copy of the Application and return it in the envelope I have provided for your convenience.

I am thanking you in advance for your cooperation.

Yours truly,


Jonathan Harvey

JH:nem

Enclosures



Tony White
Sales Consultant

Capitol Hyundai

101 Newland Road • Columbia, SC 29229 • 803-788-6800
803-873-9210 Direct • 803-865-3051 Fax
1-310-424-8653 Mobile • 1-800-258-1436 Toll Free
tony.white@capitol-imports.com • www.capitolhyundai.com



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant must reside in Richland County.

Name: Tony B. White
Home Address: 519 Bryton Trace Columbia SC 29210
Telephone: (home) (810) 424-8653 (work) (810) 424-8653

Office Address: _____

Email Address: twhite317@yahoo.com

Educational Background: _____

Professional Background: Automotive SALES 15 yrs, 18 yrs - concert promoter

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Township Auditorium Board

Reason for interest: (I've BEEN IN Entertainment industry for 18 years) - Interest in Family Entertainment for

Your characteristics/qualifications, which would be an asset to Committee, Board or Community

Commission: * PEOPLE PERSON relationships w/ Community Leaders, Entertainment Background, member of Black Men of Columbia

Presently serve on any County Committee, Board or Commission? N/A

Any other information you wish to give? N/A

Recommended by Council Member(s): PAUL Livingston

Hours willing to commit each month: (* Flexible)

CONFLICT OF INTEREST POLICY

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

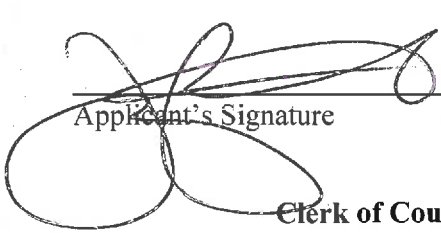
Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____



Applicant's Signature

07/28/16
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>8-11-16</u>	Received by: 
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

2



+

**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Vince Ford

Home Address: 9 Marrob Court Cola, SC 29203

Telephone: (home) 803-730-2131 (work) 803-296-2158

Office Address: 1301 Taylor Street

Email Address: HVFORD1@aol.com

Educational Background: Master of Science; SC State: Individual and Family Development

Professional Background: Healthcare, Chief Community Health Officer

Male

Female

Age: 18-25

26-50

Over 50

Name of Committee in which interested: Township Auditorium Board

Reason for interest: My interest lies in wanting to see Columbia (my hometown) create more opportunities for all. I remember as a child going to the Township for wrestling matches. It was a highlight for me as child/teenager.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I have had the opportunity to manage (Executive Director) of two not for profit organizations -- along with serving at a high level one of the largest organizations in our region. I truly understand accountability and results.

Presently serve on any County Committee, Board or Commission? Richland One School Board- last day is November 1, 2016.

Any other information you wish to give? Thanks for the consideration

Recommended by Council Member(s): Seth Rose and Paul Livingston

Hours willing to commit each month: The requested amount of time

CONFLICT OF INTEREST POLICY

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All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____

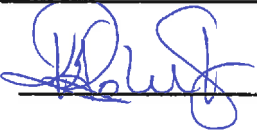
 Vince Ford
Applicant's Signature

 10.12.16
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only		
Date Received: <u>10-12-16</u>	Received by:	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

May 31, 2017

The Blue Ribbon Committee (BRC) met on April 25, 2017; Council Members Pearce, Livingston, and Myers are the representatives from the County Council. Councilmembers Pearce, Livingston, Myers and McBride were present.

- A. During the FY17 budget development and adoption process Council approved the acceptance of the \$23.5 million Community Development Block Grant – Disaster Recovery (CDBG-DR) funding from the Department of Housing and Urban Development (HUD).

A portion of the CDBG-DR funding has been set aside for the replacement of Mobile Homes substantially damaged as a result of the 2015 flood. A solicitation (RC-031-P-2017) was posted for the demolition and replacement of existing substandard mobile homes.

Richland County received one proposal from HAMVIS Properties Inc. This vendor was fully vetted by Procurement and a selection committee and was determined to be responsible and responsive. Further, their cost proposal was compared to a similar program being administered by the SC Emergency Management Division and were consistent and reasonable.

ACTION: The Blue Ribbon Committee unanimously recommended County Council approve HAMVIS as the Mobile Home demolition and replacement vendor.

This item was presented to and deferred by County Council at the May 2, 2017 meeting at staff's request.

Staff asks Council to proceed with approving this request in line with the Blue Ribbon Committee's recommendation.

REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

a. Clemson Road Widening Project: Right of way acquisition

Discussion Point:

Right of way acquisition for this project is nearing completion. However, there are four tracts recommended for acquisition under Council authority. One tract, tract 36, is owned by the County and a portion of it will require transference to SCDOT as roadway right of way given SCDOT will continue to maintain this road post-construction. In addition, right of way agents have been unsuccessful in concluding negotiations with three tracts.

Staff Recommendation:

Staff respectfully requested that the Committee recommend transference of the portion of the County owned tract, tract 36, and advance acquisition of the three remaining tracts.

Committee Action:

The Transportation Ad Hoc Committee unanimously approved the staff recommendation.

THE STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

36
TITLE TO REAL ESTATE
 Approximate Survey Station

Road/Route	Clemson Road (S-52)		
	Widening	<u>128+00</u>	To <u>130+00 Lt.</u>
File	n/a	Clemson Road (S-52)	
Item	n/a		
Project	SCDOT Project ID P028858	<u>130+65</u>	To <u>130+70.19 Lt.</u>
	RPP Project No. 276	Clemson Road (S-52)	
PIN	n/a		
Tract	36	<u>110+00</u>	To <u>110+50 Rt.</u>
		Clemson Road (S-52)	

KNOW ALL MEN BY THESE PRESENTS, That I (or we) **Richland County, 2020 Hampton Street, Columbia, South Carolina 29204** in consideration of the sum of Five Dollar and No/100 (\$5.00), and no other valuable consideration, to me (or us) in hand paid at and before the sealing and delivering thereof, by **South Carolina Department of Transportation**, receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release, unto **South Carolina Department of Transportation**, its successors and assigns, all that certain real property in fee simple absolute on Clemson Road (S-52) from approximately 1,440 LF East of Sparkleberry Lane to approximately 200 LF North of Old Clemson Road, State and County aforesaid, as shown on plans prepared by Holt Consulting Company, LLC and dated August 18, 2016.

SPECIAL PROVISIONS:

The above consideration is for all that certain parcel of land containing 0.183 acre/s7,970 SF, more or less, and all improvements thereon, if any, owned by Richland County shown as the "Area of Acquisition" on Exhibits A and B attached hereto and made a part hereof. This being a portion of the property conveyed to Richland County by Deed of the Commissioners of the Sinking Fund of the State of South Carolina dated September 19, 1945 and recorded September 20, 1945, in Book GG at Page 389 in the Office of the ROD for Richland County and shown on Tax Map No. R25800-04-01. Property herein conveyed is along a new construction centerline on Clemson Road (S-52) between stations 46+86.82 and 144+55.81 as more particularly shown on the plans for this project.

GRANTEE'S ADDRESS:

South Carolina Department of Transportation, PO Box 191, Columbia, SC 29202

Checked _____ By _____
 Recorded _____ By _____
 Project _____ File _____ Tract 36

Together with, all and singular, the rights, members, hereditaments and appurtenances thereunto belonging, or in any wise incident or appertaining.

And I (or we) do hereby bind myself (or ourselves), my (or our) heirs, executor and administrators, to warrant and forever defend all and singular said premises unto said South Carolina Department of Transportation, its successors and assigns, against myself (or ourselves) and my (or our) heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

TO HAVE AND TO HOLD in fee simple, absolute and singular the said property and the rights hereinbefore granted, unto the said South Carolina Department of Transportation, its successors and assigns forever.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand(s) and seal(s) this _____ day of _____, in the year of our Lord, Two Thousand and 2017.

Signed, sealed and delivered in the presence of:

Richland County

1st Witness

By: (L.S.)

2nd Witness

Title: (L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by Richland County.

THE STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

ACKNOWLEDGEMENT

Personally appeared before me the above named Grantor(s) and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2017.

Signature of Notary Public

Printed Name of Notary Public

NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

My Commission Expires: _____
(Affix seal if outside SC)

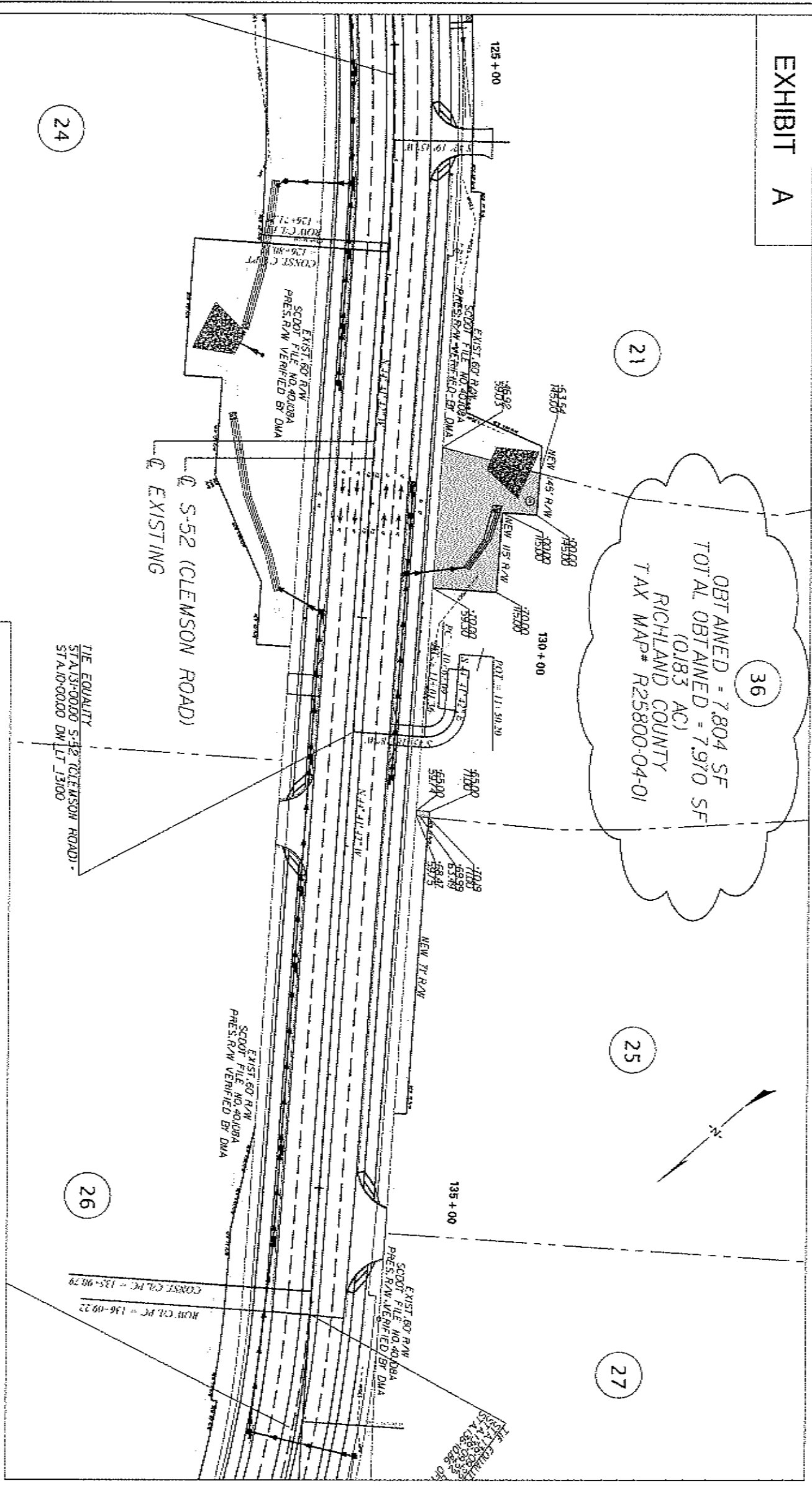
GRANTEE'S ADDRESS:

South Carolina Department of Transportation Columbia, SC 29202

Checked _____ By _____
Recorded _____ By _____ Tract 36
Project _____ File _____

EXHIBIT A

36
 OBTAINED = 7,804 SF
 TOTAL OBTAINED = 7,970 SF
 (0.183 AC)
 RICHLAND COUNTY
 TAX MAP# R25800-04-01



24

21

36

25

26

27

SCALE: 3/8" = 1' PLOTTED: 3/8" = 1' PEN TABLE: SPENYBILLS FILE: \$FILELLS

RICHLAND COUNTY (S-52 CLEMSON RD)
 Area of Acquisition From Tract No. 36
 Scale: 1" = 100'
 Project ID: P028858
 Original prepared: 09/01/2016

DAVIS & FLOYD
 SINCE 1954

EXHIBIT B

105 + 00

110 + 00

115 + 00

EXIST. 60' R/W
SCOOT FILE NO. 4010RA
PRES. R/W VERIFIED BY DMA

EXIST. 60' R/W
SCOOT FILE NO. 4010RA
PRES. R/W VERIFIED BY DMA

EXIST. 60' R/W
SCOOT FILE NO. 4010RA
PRES. R/W VERIFIED BY DMA

ROW C.L.P.T. = 111+19.19
CONST. C.L.P.T. = 111+23.70

S-52 (CLEMSON ROAD)

36

36

OBTAINED = 166 SF
TOTAL OBTAINED = 7,970 SF
(0.183 AC)
RICHLAND COUNTY
TAX MAP# R25800-04-01

RICHLAND COUNTY (S-52 CLEMSON RD)

Area of Acquisition From Tract No. 36
Scale: 1" = 100'
Project ID: P028858
Original prepared: 09/06/2016

DAVIS & FLOYD

SINCE 1884

SCALE: \$SCALES
PLOTTED: \$DATES

PEN TABLE: \$PENTBLLS
FILE: \$FILELS

COUNTY OF RICHLAND

PERMISSION FOR:

Road/Route Clemson Road Widening
 File n/a
 Item n/a
 Project SCDOT ID P028858
RPP NO. 276
 PIN n/a

CONSTRUCTION SLOPES
NPDES
DRIVE ENTRANCE

KNOW ALL MEN BY THESE PRESENTS, That I (or we) **Richland County, 2020 Hampton Street, Columbia, SC 29204** in consideration of the sum of One Dollar (\$1.00), to me (or us) in hand paid, and other valuable consideration at and before the sealing and delivering hereof, do hereby grant to Richland County permission to do the work as outlined below, with the understanding that this work is to be done on property of the grantor outside of the right of way, it being fully understood and agreed that no right of way is being granted to the County for the purpose of this construction. Further, permission is granted to perform construction beyond the right of way such as grading and other work necessary to adjust the grade of driveways to conform to the proposed roadway improvements as shown on the plans for the construction of this project.

SPECIAL PROVISIONS:

Herein granted is permission for construction of a silt fence for NPDES (National Pollutant Discharge Elimination System) and construction slopes to extend beyond the right-of-way left of Clemson Road between approximate construction centerline survey stations 129+70 and 131+65 as shown on plans for this project with the understanding that no additional property is granted for the permission in accordance with County standards.

Also it is understood and agreed that the drive entrance right of approximate construction centerline survey stations 110+50 on Clemson Road will be constructed during this construction.

TO HAVE AND TO HOLD, all and singular, the said Permission hereinbefore granted, unto the said Richland County.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand(s) and seal(s) this _____ day of _____ in the year of our Lord, **Two Thousand and Seventeen**.

Signed, sealed and delivered in the presence of:

Richland County

1st Witness

By: (L.S.)

2nd Witness

Its: (L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by Richland County.

THE STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

ACKNOWLEDGEMENT

Personally appeared before me the above named Grantor(s) acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, **2017**.

Signature of Notary Public

Printed Name of Notary Public

NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

My Commission Expires: _____
(Affix seal if outside SC)

b. Clemson Road and Sparkleberry Lane Intersection Improvement Project: Right of way acquisition

Discussion Point:

On February 21st Council approved for staff to move forward with negotiating acquisition of a car wash necessary to construct this intersection improvement project. As directed, staff has negotiated this acquisition, and in doing so eliminated the need for eminent domain action.

Recommendation:

Staff respectfully requested that the Committee concur with the negotiated acquisition and forward to full Council for consideration.

Committee Action:

The Transportation Ad Hoc Committee unanimously approved the staff recommendation.

c. Gills Creek A Greenway Project: Executive Summary

Discussion Point:

Included in your agenda you will find the Executive Summary for the Gills Creek A Greenway Project. Based on public input received it recommends:

- Proposed Termini – Begin project at Ft. Jackson Blvd./Crowson Road and end project at Bright Avenue unless existing funding allows ending at Timberlane Drive
- Location – Locate the Greenway on the west (South Beltline Blvd.) side of Gills Creek for its entire location
- On-going Coordination – Coordinate with City of Columbia regarding
 - Collaboration with the October 2015 flood mitigation issues specific to Timberlane Drive
 - Variable 10’-12’ typical section width
 - Dedicated public safety
 - Long-term maintenance
 - Lighting

Recommendation:

Staff respectfully requested that the Committee concur with the recommendations included in the Executive Summary and forward to full Council for consideration.

Committee Action:

The Transportation Ad Hoc Committee unanimously approved the staff recommendations.



TRANSPORTATION PROGRAM

EXECUTIVE SUMMARY

Date: 5/5/17

To: Rob Perry, PE
Director of Transportation

From: David Beaty, PE
Program Manager

RE: Gills Creek Greenway – Segment A Concept Report and Public Meeting Summaries with Recommendations

Gills Creek Greenway –Segment A is 1 of 15 Greenways included in the 2012 Referendum. The project was defined as a new location Greenway along Gills Creek beginning at Kilbourne Road and extending to Bluff Road. The total budgeted amount was \$2,246,160. The Richland County Transportation Program has conducted two Public Meetings for the Gills Creek Greenway – Section A as well as completed a Concept Report. This Executive Summary will provide an overview of the two meetings, the concept report, and offer recommendations to advance the project.

February 11, 2016 Public Meeting

The Richland County Transportation Program held a Public Meeting on Thursday, February 11, 2016 from 6:30-8:00 p.m. at Brennen Elementary School, located at 4438 Devereaux Road. The meeting was an open house format. Residents were greeted at the entrance, checked in at a sign-in table, provided a handout and comment card and directed to one of five sets of overview boards, which were manned by members of the Project Team. Attendees were given a brief overview of the meeting format before entering. Project boards and maps were displayed around the meeting room and manned by members of the Project Team to answer specific questions from meeting attendees. A brief presentation was given by Richland County Councilman Greg Pearce and Richland County Transportation Director Rob Perry.

There were 321 people in attendance for the meeting.

The project displays provided aerial plan layouts and typical sections for the proposed project. The overall project termini was shown beginning at Kilbourne Road and extending approximately 4 miles to Bluff Road. Typical sections included concrete sections, low-level boardwalks, high-level boardwalks, and covered high-level



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boardwalks. From Kilbourne Road to Rosewood Drive the alignment was shown on the west of Gills Creek, from Rosewood Drive to approximately the railroad trestle (near Chimney Hill Road) the alignment was shown on the east side. The alignment then crossed Gills Creek and was shown on the east side to near Shop Road. The alignment then crossed back at that point to the west side where it remained until terminating at Bluff Road.

A total of 224 comments/e-mails were received during the comment period. The following table provides an overview of the number of comments received during the comment period that supported or opposed the project.

Support	107	47.7%
Support – Different Location	25	11.2%
Neutral	10	4.5%
Oppose	82	36.6%
Total	224	

Many comments in opposition to the project were concerned about the alignment shown on the east side from Rosewood Drive to near approximately the railroad trestle (near Chimney Hill Road). These commenters were primarily from the Hamptons and Old Woodlands neighborhoods and expressed concern with the impact of the project on safety in their communities. Additional comments included concerns regarding dedicated public safety, lighting, long-term maintenance costs, and parking. Comments in support of the project were primarily concerning opportunities for improved quality of life and connectivity.

Additional Public Outreach

As a result of the public input from this public meeting, additional public outreach effort was conducted. Meetings and conversations were conducted through May 9, 2016 with representatives of the following groups; Lake Katherine Neighborhood Association, Rosewood Community Council, Sherwood Forest Neighborhood, South Beltline Gills Creek Community Relief, South Kilbourne Neighborhood Associations, and the Crosshill Neighborhood Association. Concerns/issues from these meetings included:

- Dedicated public safety
- Long-term maintenance costs
- Shifting the alignment from the east to the west side of Gills Creek from Rosewood Drive to near approximately the railroad trestle (near Chimney Hill Road)
- Connectivity to the Rosewood community
- Lighting



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- Proximity to residents along Burwell Lane

February 22, 2017 Public Meeting

The Richland County Transportation Program held a Public Meeting on Wednesday, February 22, 2017 from 5:00-7:00 p.m. at Dreher High School, located at 3319 Millwood Avenue. The meeting was an open house format. Residents were greeted at the building entrance, checked in at a sign-in table, were provided a handout and comment card, and were directed to the meeting room where members of the Richland County Transportation Program manned six project boards. Attendees were given a brief overview of the meeting format before entering. Once residents were provided the brief overview they were directed to one of the six project boards which displayed the proposed greenway alignment and typical sections.

There were 231 people in attendance for the meeting.

The project displays provided aerial plan layouts and typical sections for the proposed project. The project typicals were similar to those shown at the previous public meeting. However, changes to the overall alignment were presented. The termini presented continued to begin at Kilbourne Road, but it was shifted to the east side (opposite Burwell Lane) from Kilbourne Lane to Ft. Jackson Blvd. Once crossing Ft. Jackson Blvd., the alignment was shown on the west side to Rosewood Drive. A significant change from the previous meeting, the alignment shown remains on the west side from Rosewood Drive to a point beyond the railroad trestle (near Chimney Hill Road), approximately halfway along the Intertape Polymer industrial site. The alignment then crossed Gills Creek and was shown on the west side to the termini at Bluff Road. Additionally, the alignment from Kilbourne Road to Mikell Lane was shown as the portion of the Greenway that could be constructed with currently available funding. The remainder of the alignment was shown as currently unfunded.

A total of 652 comments/e-mails were received during the comment period. The following table provides an overview of the number of comments received during the comment period that supported or opposed the project.

Support	489
Support in different location	14
Neutral	12
Oppose	137



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As can be seen in the table above, nearly three times as many comments were received as compared to the previous meeting. The majority of the comments supported the project moving forward based on improved quality of life and tourism/economic benefits. The comments opposing the project were primarily concerned with safety issues, long-term maintenance, and parking. Another group of comments were focused on the section of the Greenway from Kilbourne Road to Ft. Jackson Blvd. (adjacent to Burwell Lane). This community was previously significantly impacted by the October 2015 Flood and expressed that they wanted the project to begin at Ft. Jackson Blvd.

Recommendations (see table at end of section for summary)

Based on the comments and input received from both public meetings and additional public outreach to date as well as consideration of safety, project impacts, and available funding, a number of recommendations are offered.

Due to the previous flooding impacts to the community near and along Burwell Lane and public input, it is recommended to begin the project at Ft. Jackson Blvd. This is the comment provided by the majority of those individuals that are located immediately between Burwell Lane and Gills Creek as well as the individuals within the Crosshill Neighborhood. It is recommended to maintain the alignment on the west side of Gills Creek from Ft. Jackson Blvd. to Rosewood Drive, as was shown at both previous public meetings.

Another significant issue from the first public meeting was the alignment of the Greenway being on the east side (Old Woodlands and Hamptons side) from Rosewood Drive to a point beyond the railroad trestle (near Chimney Hill Road). Residents had expressed concern regarding safety and potential traffic issues within their neighborhoods. It is recommended to locate the alignment, as shown at the second public meeting, on the west side (South Beltline side) from Rosewood Drive to Bright Avenue. Based on current available funding, it is estimated that this length of project can be constructed. The overall project would begin at Ft. Jackson Blvd. and terminate at Bright Avenue. However, as design is developed, continuing the project to past Bright Avenue to Timberlane Drive will be evaluated and included, pending funding. Further coordination with the City of Columbia is also recommended regarding any potential collaboration regarding the “buyouts” of properties along Timberlane Drive as a result of the 2015 Flood.

Preliminary conversations have been conducted with the managers of the Bi-Lo shopping center located at Garners Ferry and along Gills Creek regarding identifying public parking within their property. Bi-Lo managers have expressed interest in this subject and



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have stated their willingness to further discuss the details. It is further recommended that similar conversations be had with managers of Rosewood Crossing (along Gills Creek between Ft. Jackson Blvd. and Garners Ferry Road) to also identify potential public parking. As the design is progressed, other parking opportunities will need to be studied to include near the potential southern termini of the Greenway near Bright Avenue or Timberlane Drive.

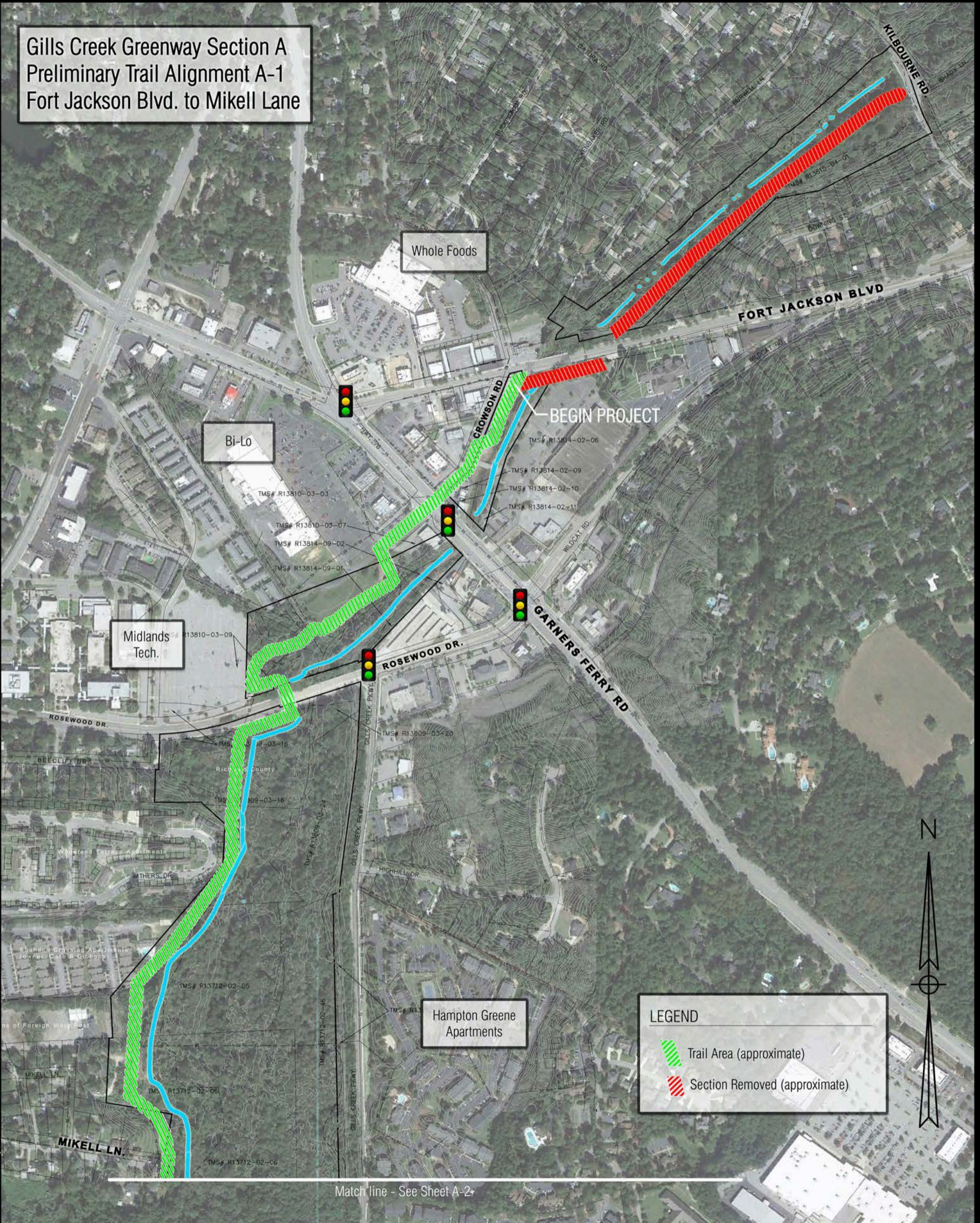
The City of Columbia has expressed a willingness to provide both dedicated public safety and long-term maintenance of the Greenway. It is recommended that a formal document be prepared detailing these specific responsibilities prior to construction of the Greenway. Additionally the City has requested that the proposed width of the Greenway be either 10' or 12'. This detail is recommended to be coordinated and agreed upon with the City as the design is advanced.

Summary of Recommendations

- Proposed Termini – Begin project at Ft. Jackson Blvd./Crowson Road and end project at Bright Avenue unless existing funding allows ending at Timberlane Drive
- Location – Locate the Greenway on the west (South Beltline Blvd.) side of Gills Creek for its entire location
- On-going Coordination – Coordinate with City of Columbia regarding
 - Collaboration with the October 2015 flood mitigation issues specific to Timberlane Drive
 - Variable 10'-12' typical section width
 - Dedicated public safety
 - Long-term maintenance
 - Lighting



Gills Creek Greenway Section A Preliminary Trail Alignment A-1 Fort Jackson Blvd. to Mikell Lane



Whole Foods

Bi-Lo

Midlands Tech.

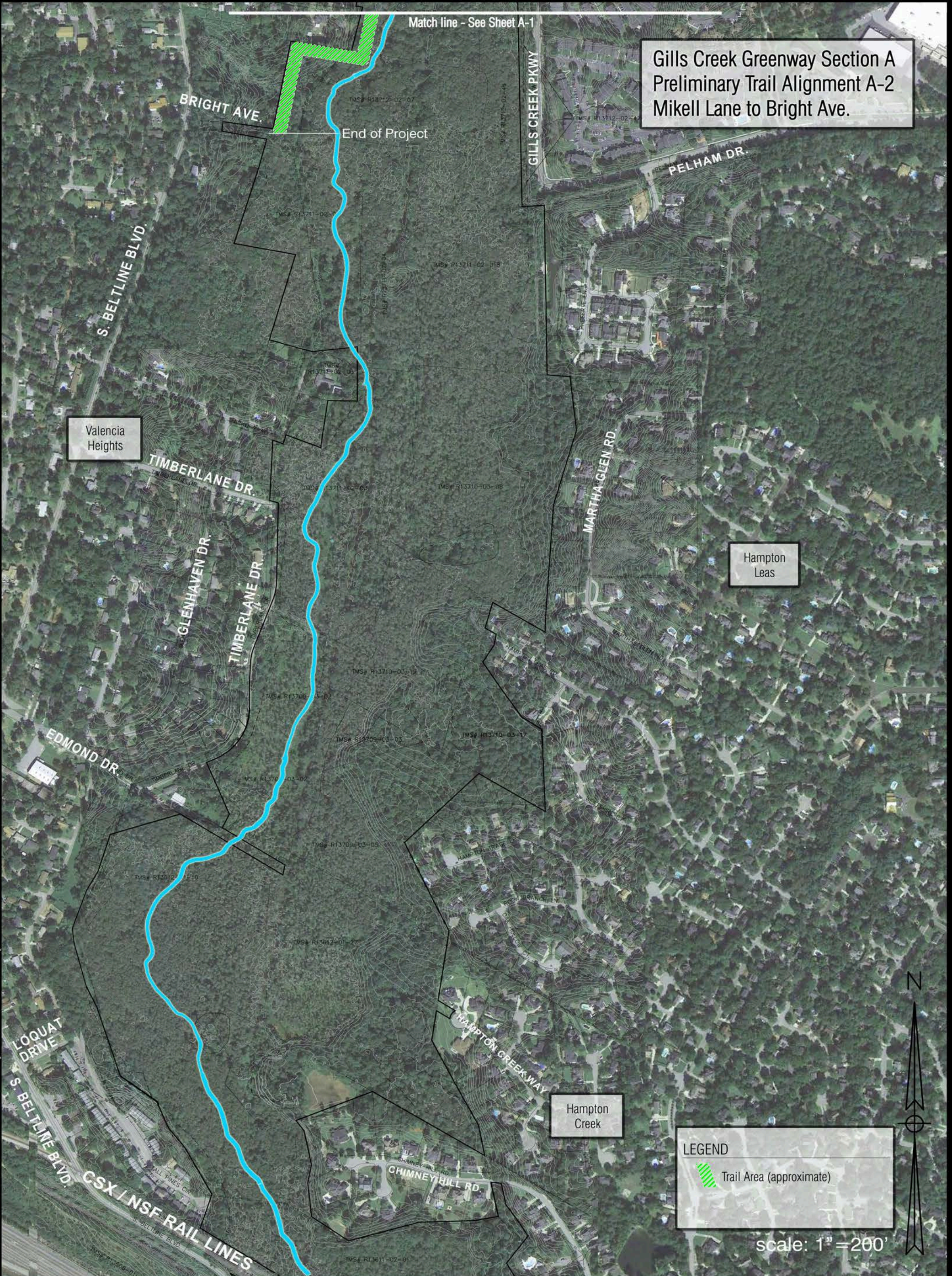
Hampton Greene Apartments

BEGIN PROJECT

LEGEND

- Trail Area (approximate)
- Section Removed (approximate)

Match line - See Sheet A-2



Match line - See Sheet A-1

Gills Creek Greenway Section A
Preliminary Trail Alignment A-2
Mikell Lane to Bright Ave.


End of Project

Valencia Heights

Hampton Leas

Hampton Creek

LEGEND

 Trail Area (approximate)

scale: 1" = 200'





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Gills Creek Greenway Project Public Meeting Summary February 22, 2017

The Richland County Transportation Program held the Gills Creek Public Meeting on Wednesday, February 22, 2017 from 5:00 p.m. to 7:00 p.m. at Dreher High School on 3319 Millwood Ave, Columbia, SC 29205 in Columbia.

The meeting was advertised through road signs, flyers and media outreach. Four road signs were strategically placed throughout the project area. Flyers were distributed by mail and email to those who attended/provided comments for the previous Gills Creek Greenway meeting, as well as, property owners, residents, businesses, elected officials, neighborhood association representatives and other key stakeholders (Greenway Advisory Group, Walk/Bike Columbia, etc.) in the project area.

The meeting was also promoted through Facebook Advertising and a media alert was distributed the week before the meeting. WIS promoted the meeting in advance. WLTX, The Free Times and The State covered the meeting.

The meeting was an open house format. Residents were greeted at the building entrance, checked in at a sign-in table, were provided a handout and comment card, and were directed to the meeting room where members of the Program Team manned six project boards. Attendees were given a brief overview of the meeting format before entering. Once residents were provided the brief overview they were directed to one of the six project boards which displayed the proposed greenway alignment and typical sections. Residents were directed to provide comments on the comment cards. Comment card boxes were available and attendees were encouraged to provide their comments by the deadline of March 9, 2017.

Meeting Attendance: 231

Comment Cards Submitted At Meeting: 123

Comment Cards Submitted by Mail: 24

Comments Submitted by E-mail: 504

Comments Submitted by Phone: 1

Total Comment Cards Received: 652



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COMMENT SUMMARY

Residents were asked to provide feedback on the proposed greenway alignment. Below is a summary of the 652 project specific comments received.

Table 1: Support/Opposition

Support	489
Support in different location	14
Neutral	12
Oppose	137

Many of the 652 commenters addressed multiple specific topics in their individual comments. Below is a summary of the project specific topics.

Table 2: Project Specific Topics

Project Specific Topics	Total Comments
Lighting	18
Maintenance	93
Parking	46
Privacy	34
Safety <ul style="list-style-type: none"> Increased crime or vandalism, safety, and security concerns 	180
Improved quality of life <ul style="list-style-type: none"> Health benefits, recreational/athletic benefits, bike/pedestrian access, family benefits/family using greenway, community connections 	383
Improved functionality of creek/connections to nature	38
Increased property values	40
Reduced property values	16
Tourism/economic benefits/development/supporting businesses, keeping Columbia competitive with other cities	126

PROJECT QUESTIONS AND SUGGESTIONS

A number of suggestions were left by commenters. Several commenters requested additional clarification about particular design aspects of the project. The list below is a consolidation of what commenters have suggested as potential considerations.

Lighting comments:

- Will there be lights along the greenway and will they be on during the times that the Greenway will be closed at night?
- I understand that for safety, there would now be 24 hour lighting along the path.
- Lighting for security, light pollution, etc.?
- Please consider directional LED lighting systems.
- Will there be any lighting, trash collection or trash bins?
- Adequate lighting along boardwalk section; and/or texture for non-slip design.



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Maintenance comments:

- Who is going to maintain and keep litter in control along the Greenway? Will there be trashcans along the Greenway and at the trailheads? Who is responsible for emptying trash cans?
- It is very important that the County provide the plan and funds to police and maintain the greenway.
- Once something is built in an area that was previously not developed it will require on-going maintenance to remain in a condition that makes it an asset to the community.
- Insufficient planning and unclear funding for ongoing and future maintenance and safety patrols.
- I do not believe the City of Columbia has the funds necessary to keep the Greenway maintained.
- Who is going to be responsible? How much is it going to cost and who's going to pay to replace/repair when the summer rains damage it?
- I haven't seen a cost estimate of the maintenance of such a project.
- The project needs to be fully developed in terms of annual maintenance, security and parking.
- Ease of maintenance and cheapness should not be the only issues when designing a trail for runners and walkers.
- This will increase property tax, long term for maintenance and policing.
- Will the city or county be responsible for maintenance and safety?
- How do we establish an entity to provide regular maintenance for Gills Creek?

Parking comments:

- As long as there is access to Crosshill Market and the Bi-Lo shopping center (areas to park) the project should go on as planned.
- Are people going to be allowed to park in residential areas along the Greenway? Or will there be convenient designated parking areas like there are for the River Front Park and the Riverwalk?
- There needs to be a good access and parking plan to avoid our residential streets being covered in visitors' cars, but homeowners are responsible for their own fencing or security needs.
- There is no plan and no space for a parking solution. Cars will undoubtedly park on Kilbourne and Burwell in front of my house and along my street causing congestion, safety and security problems.
- If parking is not made available people will park on Burwell (in front of my house) where the street is already crowded with construction crews building new houses lost to the flood.
- Don't do Burwell Lane! There is no place to park!
- We object to any parking lot or large access point at the end of Hampton Leas, Hampton Grant, etc.



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- I have questions about the parking situation. I suspect people driving will likely park along Shady Lane and Kilbourne. I wonder if there may be plans to buy a flood damaged home and turn that into a parking lot.
- Consider parking areas for non-residents.
- Parking may be a limiting factor for public use of the path.
- The destroyed home near Forrest Drive could be an ideal small parking lot for a trail entrance.
- I am very concerned about a parking lot not being provided for the Greenway outside of the neighborhood.
- Parking should not impede into residential areas and should remain on the outskirts and be limited.
- With no established parking, people will likely try to park at either end.

Greenway route near Burwell Lane and Kilbourne Road:

- Starting the path on the south side of Jackson Boulevard would provide easy access for those who support the Greenway.
- Why not create a true park on both sides of the intersection of the creek and Rosewood Extension.
- I would like to state that many of the Cross Hills residents are not opposed to the greenway – We are requesting that it starts on the south side of Jackson Boulevard.
- I suggest a compromise and have it start on the south side of Jackson Boulevard where there is no access to residential property and plenty of parking.
- Have it start on the south side where there is no access to residential property and plenty of parking.
- Building further downstream would preserve the safety, privacy and property values of those who live on the Creekside of Burwell Lane. It would also eliminate parking issues posed by the Kilbourne Rd starting location.
- Move the end from Kilbourne to Crowson.
- My family and I support moving the start of the Gills Creek greenway to either Crowson Road or Devine Street.
- I live in the Crosshill Neighborhood and want the Greenway to be moved to Crowson Rd.

Other comments:

- “Legitimate concerns about the funding for future maintenance and the safety and policing necessities required.”
 - Residents from Hampton Crest, Old Woodlands, Hampton Trace, Hampton’s Grant, Kings Grant and Hampton Leas submitted the comment above.
 - Approximately 41 individuals within the above communities submitted the above comment.



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Identified Homeowners Associations/Neighborhood Associations

A number of commenters identified what neighborhood or HOA they reside in. Below is a table outlining their comments:

Communities	# of commenters	Support	Support in different location	Neutral	Oppose	Key Issues
Arcadia Lakes	5	5				Greenway access; bike/ped access
Cross Hill/ Burwell Ln	48	21	12	4	13	Safety; parking areas; opposes Kilbourne Rd starting location/proximity to Burwell Ln
Forest Acres	35	33			2	Recreational or athletic benefits; bike/ped access; community connections
Ft Jackson Blvd	6	4		2		Parking areas
Gregg Park	2	2				Bike/ped access
Hampton Crest/Hampton Grant	16	4			12	Safety; maintenance
Hamptons/Old Woodlands	37	13		1	23	Safety; increased crime/vandalism; use funding elsewhere
Heathwood	14	14				Health benefits; recreational or athletic benefits
Hollywood	2	2				Bike/ped access
Kilbourne/Lake Katherine	15	8			7	Safety; increased crime/vandalism; greenway access
Kings Grant	11	7			4	Maintenance; bike/ped access
Knollwood	5	4			1	Greenway access; maintenance; health benefits
Melrose Heights	7	7				Bike/ped access
Rosewood	54	53			1	Bike/ped access; community connections
Shandon	26	25		1		Recreational or athletic benefits; community connections
Sherwood Forest	21	20			1	Bike/ped access; community connections
South Beltline	16	15		1		Greenway access; recreational or athletic benefits; community connections
South Kilbourne	3	3				Community connections; wildlife
South Waccamaw	2	1				Parking area; greenway access
Tanglewood Road	2	2				Bike/ped access; community connections
Trenholm	2	2				Recreational or athletic benefits
USC	3	3				Bike/ped access



REQUEST OF ACTION

Subject: FY17 - District 1 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$20,685.45** to the Lake Murray Capital Visitors Bureau per the request of County Vice-Chairman Bill Malinowski District 1.

B. Background / Discussion

For the current Fiscal Year (2016-2017), County Council approved designating the Hospitality Discretionary account funding totaling \$164,395.45 for each district Council member as list below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,395.45; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Pursuant to Motion 56 of FY17 Motion list (3rd reading) each district Council member was approved \$164,395.45 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, Vice-Chairman Malinowski’s H-Tax discretionary account breakdown and its potential impact is listed below:

Initial discretionary account funding	\$164,395.45
Funding allocated through to date	\$143,710.00
Current account balance	\$20,685.45
Allocation Request	
Lake Murray Capital Visitors Bureau	\$20,685.45
Total	\$20,685.45
Remaining balance	\$0.00

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 9, 2016

D. Alternatives

1. Consider the request and approve the allocation.
2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.



REQUEST OF ACTION

Subject: FY17 - District 10 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$5,000** to the National Association of Minority Contractors (NAMC, SC) per the request of Councilwoman Dalhi Myers, District 10.

B. Background / Discussion

For the current Fiscal Year (2016-2017), County Council approved designating the Hospitality Discretionary account funding totaling \$164,395.45 for each district Council member as list below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,395.45; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Pursuant to Motion 56 of FY17 Motion list (3rd reading) each district Council member was approved \$164,395.45 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, Council-Women Myers’s H-Tax discretionary account breakdown and its potential impact is listed below:

Initial discretionary account funding	\$164,395.45
Funding allocated through to date	\$152,500.00
Current account balance	\$11,895.45
Allocation Request	
NAMC, SC	\$5,000.00
Total	\$5,000.00
Remaining balance	\$6,895.45

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 9, 2016

D. Alternatives

1. Consider the request and approve the allocation.

2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.