



RICHLAND COUNTY COUNCIL

ADMINISTRATION AND FINANCE COMMITTEE

Joyce Dickerson	Paul Livingston	Greg Pearce (Chair)	Jim Manning	Kelvin Washington
District 2	District 4	District 6	District 8	District 10

**JULY 22, 2014
6:00 PM**

2020 Hampton Street

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: June 24, 2014 [PAGES 3-7]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property [PAGES 8-19]
3. Emergency Services Department – Ladder Truck Purchase [PAGES 20-23]

4. Revision to the Public Defender Retention and Compensation Plan [PAGES 24-28]
5. Authorize One Additional Attorney Position – Kershaw County [PAGES 29-31]
6. Charleston County-SLBE Division Intergovernmental Agreement [PAGES 32-41]

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

7. Changes to Teleworking and Alternative Work Schedules in Handbook [PAGE 42]

ADJOURNMENT



Special Accommodations and Interpreter Services

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

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

Richland County Council Request of Action

Subject

Regular Session: June 24, 2014 [**PAGES 3-7**]

Reviews

MINUTES OF



RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, JUNE 24, 2014 6:00 P.M.

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

=====

MEMBERS PRESENT

- Chair: Greg Pearce
- Member: Joyce Dickerson
- Member: Paul Livingston
- Member: Jim Manning
- Member: Kelvin E. Washington, Sr.

ALSO PRESENT: Bill Malinowski, Norman Jackson, Torrey Rush, Tony McDonald, Sparty Hammett, Warren Harley, Justine Jones, Ismail Ozbek, John Hixon, Brandon Madden, Monique McDaniels, Jocelyn Jennings, Valeria Jackson, Andy Metts, Ray Peterson, Nancy Stone-Collum, Christy Swofford, Ronaldo Myers, Brad Farrar, Roxanne Ancheta, Sara Salley, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 6:00 p.m.

APPROVAL OF MINUTES

May 27, 2014 (Regular Session) – Mr. Washington moved, seconded by Mr. Manning, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

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

ITEMS FOR ACTION

Hospitality Tax Ordinance Agency Procurement – Mr. Washington moved, seconded by Mr. Manning, to hold in committee until an analysis on the impact of requiring agencies to adopt County or State procurement guidelines for Hospitality Tax spent dollars can be conducted.

Mr. Livingston made a substitute motion, seconded by Mr. Manning, to forward to Council with a recommendation to require in FY15 agencies receiving \$50,000 or more from Hospitality Tax to adopt County or State procurement guidelines for spent dollars. The vote in favor was unanimous.

Detention Center – Fire Control-Security Control Maintenance Contract – Mr. Manning moved, seconded by Mr. Washington, to forward to Council with a recommendation to approve the Fire and Security Maintenance contract renewal to Honeywell at the Detention Center, in the amount of \$333,535. A discussion took place.

The vote was in favor.

Detention Center – HVAC Maintenance Contract – Ms. Dickerson moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the HVAC Maintenance contract renewal to W. B. Guimarin & Co., Inc. at the Detention Center, in the amount of \$186,840. The vote in favor was unanimous.

Approval of FY14-15 Budgets within the FY14-15 Annual Action Plan for Community Development Department Funds – Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the FY14-15 estimated budgets for CDBG and HOME to be found in the FY14-15 Action Plan due to HUD by August 15, 2014. The vote in favor was unanimous.

Ad Hoc Health Insurance Study Committee – Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to develop an Ad Hoc Health Insurance Study Committee. The committee will begin its deliberations in September. The Chair will appoint the committee members upon Council's approval of the creation of the committee. Mr. Pearce, Mr. Washington and Mr. Rush volunteered to serve on this committee.

The vote in favor was unanimous.

Changes to Teleworking and Alternative Work Schedule in Handbook – Ms. Dickerson moved, seconded by Mr. Manning, to hold this item in committee. The vote in favor was unanimous.

Monticello Road Streetscape Project (Construction Bid Award Approval) – Phase II – Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the bid of \$449,636.50 to be awarded to L-J Inc. for Monticello Road Streetscape construction Phase II. The vote in favor was unanimous.

Minimum Residence Requirement for SLBE Program Applicants – Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the requirement that businesses be established in Richland County for a minimum of one year prior to participating in the Small Local Business Enterprise (SLBE) Program, along with requiring emerging businesses to be established a minimum of six months prior to participation. A discussion took place.

Mr. Manning made as substitute motion to forward to Council with a recommendation to approve the requirement that businesses be established in Richland County for a minimum of six months prior to participating in the SLBE Program. The substitute motion died for lack of a second.

Mr. Manning made a substitute motion, seconded by Mr. Washington, to forward to Council with a recommendation to approve the requirement that businesses be established in Richland County for a minimum of one year prior to participating in the SLBE Program.

Mr. Washington requested a friendly amendment to invoke the pending ordinance doctrine. Mr. Manning accepted the amendment to the substitute motion.

The vote in favor was unanimous.

Extension of EMS Billing Contract – Ms. Dickerson moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the request to extend the contract with EMSMC for the duration of FY14-15. A discussion took place.

The vote was in favor.

Bond Issuance-Capital Project List – Mr. Livingston moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the capital projects list as recommended. A discussion took place.

Mr. Livingston requested the number of Sheriff's Department vehicles that are purchased annually.

POINT OF PERSONAL PRIVILEGE – Mr. Manning recognized that Councilman Rush's twins were in the audience.

Mr. Manning made a substitute motion, seconded by Mr. Livingston, to amend the capital projects list to include up to \$50,000 for Columbia Area Mental Health, contingent upon the State funding the remaining costs.

Ms. Dickerson inquired as to the percentage of services that are provided to the veterans, particularly female veterans.

The vote was in favor.

ADJOURNMENT

The meeting adjourned at approximately 6:46 p.m.

Submitted by,
Greg Pearce, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property [**PAGES 8-19**]

Reviews

Richland County Council Request of Action

Subject: RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property

A. Purpose

County Council is requested to approve a contribution of \$20,000 from Richland County Conservation Commission (RCCC) funds for Olympia Community Education Foundation (OCEF) to acquire a historic building in Olympia for preservation and community use.

B. Background / Discussion

Dr. Sherry Jaco, a member of the OCEF, approached RCCC in February 2014 about their efforts to purchase the building at 1170 Olympia Avenue for use as a museum to interpret life in the Olympia and Granby mill villages. This building was the first Olympia School from 1901 to 1909. Aware of our historic preservation grant program, Dr. Jaco submitted a grant application for restoration funds by the deadline of February 20, 2014. However, the Historic Committee concluded that while the project was a worthwhile one, funds for acquisition were the first priority and the grant program criteria did not provide for purchase funds.

The owner of the building submitted a Historic Building Eligibility application, which the RCCC approved on March 24, 2014. Good documentation and early photographs (see attached) amply demonstrate why the structure meets the criteria for an association with events that have made a significant contribution to the broad patterns of the history of Columbia.

OCEF, a 501(c) (3) organization, is the fiscal agent for the project and will own and maintain the building. Their mission is to promote educational programs and a positive image for the Olympia Community. A museum located in an original mill house will help preserve the rich history of the Olympia and Granby villages, demonstrating how mill families lived, studied and worked. Use of the building for community purposes such as meetings, classes, exhibit space, and after school programs is being explored.

Dr. Jaco has pledges totaling \$40,000 for the purchase of the building. She requested a contribution from the RCCC at their April meeting. On May 19, 2014 the RCCC approved \$20,000 from FY15 funds to assist in the acquisition, with the condition the funds would be returned if the building ceases to serve as a museum and public space. We expect OCEF to apply for a historic preservation grant (FY 16) to assist with the restoration of the building. The owner is willing to sell the house for \$90,000, which is \$8,000 less than the purchase price in 2012 – see attached data from Assessor’s Office. The Community Development Block Grant program has recognized the historic significance of the project, and the improvement it will bring to the Olympia neighborhood by committing \$30,000 funds in their FY15 federal allocation.

C. Legislative / Chronological History

This is an RCCC and staff-initiated request. Therefore, there is no legislative history.

D. Financial Impact

RCCC has \$20,000 available in its FY15 budget for special projects under its Professional Services category.

E. Alternatives

1. Approve the request for RCCC to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space.
2. Do not approve the request for RCCC to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space. If the request is not approved, OCEF may not be able to raise the funds to purchase the building before the landowner feels compelled to sell it to another buyer. The opportunity to preserve the original school for public use will be lost.

F. Recommendation

It is recommended that Council approve the request for RCCC to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space.

Recommended by: Nancy Stone-Collum Department: Conservation Date: 6/6/14

G. Reviews

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

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

Finance

Reviewed by: Daniel Driggers

Date: 6/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Funds are available as noted

Legal

Reviewed by: Elizabeth McLean

Date: 6/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion. I would recommend and MOU with the receiving entity directing that the funds be returned in the event that property ceases to serve as a museum or public historical/educational space (and any other requirements council would like to place on the funds).

Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

Date: 6/19/14

Recommend Council denial

Olympia School in 1903



OLYMPIA SCHOOL - 1903

Miss Marie Powers is at right with bike. Outside stairs have been added for private access to second story enlarged room, also as a safety measure. Columbus Street Railway tracks in front of school.



OLYMPIA SCHOOL INTERIOR - 1903

Partitions was removed to enlarge classroom. Note window at right. Partition was emphasized, note flags on wall end of row. Grades one, two and three were included in the first floor classroom.

Assessor Data View

The information provided on this page reflects data as of **December 31, 2012** 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:	R11203-06-04
Owner:	GREENE ROY L
Address 1:	1170 OLYMPIA AVE
Address 2:	
Address 3:	
City/State/Zip:	COLUMBIA SC 29201
Property Location/Code:	1170 OLYMPIA AVE <input type="checkbox"/>

Tax Information	
Year:	2013
Property Tax Relief:	(\$974.90)
Local Option Sales Tax Credit:	(\$124.46)
Tax Amount:	\$843.86
Paid:	Yes
Homestead:	No
Assessed:	\$3,920.00

Assessment Information			
Year Of Assessment:	2014	Legal Residence:	Yes
Tax District:	1UR	Sewer Connection:	CITY
Acreage Of Parcel:	0.00	Water Connection:	CITY
Non-Agriculture Value:	\$12,500.00	Agriculture Value:	\$0.00
Building Value:	\$84,000.00	Improvements:	\$1,500.00
Taxable Value:	\$98,000.00		
Zoning:	RM-HD	RESIDENTIAL, MULTI-FAMILY	

Property Information			
Legal Description:	LOT 1 BLOCK 9	#SU PACIFIC MILLS	
	84.2X105X84.9X105	#PR I-76	
Land Type:	RESIDENTIAL LAND		

Sales History

Current Owner Name	Sale Date	V/I	Book/Page	Sale Price	Qual Code
GREENE ROY L	02/21/2012	I	R1743/ 622	\$98,000.00	Q
PHILLIPS SHERRY R	10/07/2008	I	R1468/ 1893	\$5.00	2
PHILLIPS JEFFREY L	09/20/2000	I	R0444/ 1046	\$55,000.00	9
PHILLIPS JEFFREY L &	03/05/1996	I	D1304/ 831	\$37,500.00	Q

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
1	2014	DUPLEX - WALL GROUP 1	1910	2.0	4	2.0	1788	2040

Structure Details

Structure Type	Structure Description	Building Number
Building Element	AC TYPE...NONE	1
Building Element	ARCHITECTURAL STYLE...CONVENTIONAL	1
Building Element	BUILDING SHAPE...SQUARE	1
Building Element	ELECTRICAL...BELOW AVERAGE	1
Building Element	EXTERIOR WALL 1...COMP OR WALLBOARD	1
Building Element	EXTERIOR WALL 2	1
Building Element	FOUNDATION...PIERS	1
Building Element	HEAT TYPE/FUEL...CONVECTION/GAS	1
Building Element	INSULATION...AVERAGE	1
Building Element	INTERIOR FLOOR 1...PINE OR SOFTWOOD	1
Building Element	INTERIOR FLOOR 2	1
Building Element	INTERIOR WALL 1...3-PLASTER/DRYWALL	1
Building Element	INTERIOR WALL 2	1
Building Element	ROOF COVER...ASPALT SHINGLE	1
Building Element	ROOF STRUCTURE...GABLE OR HIP	1
Building Element	STRUCTURAL FRAME	1

Misc Improvement	FIREPLACE-1 STORY SINGLE/MHOME	1
Misc Improvement	FIREPLACE-1 STORY SINGLE/RESID	1
Misc Improvement	FIREPLACE-1 STY SGL/COMMERCIAL	1

Exemptions

Exemption Year	Exemption Description

Item# 2

Attachment number 1
Page 7 of 7

- 1) The OCEF shall acquire the Property and create a museum and community space, as outlined above.
- 2) Richland County agrees to award OCEF the sum of Twenty Thousand (\$20,000.00) Dollars to be used towards the purchase price of the Property. The OCEF shall request disbursement of the funds no earlier than 21 days before the closing date of the Property and no later than 12 months from the date of execution of this Agreement, with such funds being paid via check made payable to the Olympia Community Education Foundation.
- 3) The parties hereto understand that the funding for this award shall be made from fiscal year 2014/2015 budget, and that the appropriation herein agreed to, if not used within the 2014/2015 Richland County fiscal year, shall be then subject to re-approval and the availability of funds for Richland County Conservation Commission during any other fiscal year.
- 4) If at any time, the Property ceases to be used as a museum and or educational/historical space, OR if the OCEF sells or transfers the Property without RCCC's prior written approval, the entire Twenty Thousand (\$20,000) award shall be repaid to Richland County by the OCEF.
- 5) This Agreement shall remain in full force and effect for ten (10) years from the date of purchase of the Property.
- 6) The parties hereto expressly agree that the tendering of this award by Richland County and the acceptance thereof by the OCEF in no way creates any agency relationship between the parties or any relationship which would subject Richland County to any liability for any acts or omissions of the recipient entity or entities.

The OCEF shall indemnify and hold harmless Richland County, its parent, subsidiaries and affiliates and all their respective directors, council members, officers, agents and employees (hereafter collectively referred to as the "Indemnitee") from liability, damages, losses, costs, expenses, demands, claims, suits, actions and causes of action on account of illness, personal injury or death to employees or any other persons, damage to property of Richland County or others or other loss or liability arising from or in connection with the OCEF's performance of any the terms and conditions outlined in this Agreement. Further, the OCEF, at its own expense, shall defend any demand, claim, suit, action or cause of action brought against the Richland County where such demand, claim, suit, action or cause of action arises from any cause for which Richland County may be entitled to be indemnified and held harmless pursuant to this Agreement, arising from or in connection with such demand, claim, suit, action or cause of action; provided, however, that Richland County shall be entitled to participate in such defense.

- 7) Any such employees, volunteers or persons authorized to conduct or carry out the mission of the OCEF shall be the sole responsibility of the OCEF and shall not be employees of Richland County.

IN WITNESS WHEREOF WE THE UNDERSIGNED have this _____ day of _____, 2014, set our hand and seal hereon.

OLYMPIA COMMUNITY
EDUCATION FOUNDATION:

WITNESSES:

By:_____

Its:_____

RICHLAND COUNTY
CONSERVATION COMMISSION

WITNESSES:

By:_____

Its:_____

Richland County Council Request of Action

Subject

Emergency Services Department – Ladder Truck Purchase [**PAGES 20-23**]

Reviews

Richland County Council Request of Action

Subject: Emergency Services Department – Ladder Truck Purchase ESD 07012014

A. Purpose

The purpose of this request is to obtain Council’s approval to purchase a used ladder truck to provide fire service in the county until a new one can be ordered, built and delivered. The used truck will serve as a “reserve” (back-up) after the new truck arrives. Richland County has only one ladder truck and it is out-of-service and will not be repaired. The earliest a new truck can be delivered is 12 – 18 months. Funds are available in the Emergency Services budget. No additional funds are needed.

B. Background / Discussion

Richland County currently owns one ladder truck built in 1993 with over 137,700 miles. The truck has exceeded its life expectancy and repairs will exceed its value. The planned replacement is included in the large truck purchase which will be funded with the bond. However, once a bid is awarded, it will take up to a year to build the truck. A replacement truck is needed now and a used truck is a good solution because we also need a “reserve” ladder truck as part of the Insurance Services Office’s (ISO) public protection classification evaluation. Once the new truck arrives, the used one will become the reserve for Richland County.

Several used ladder trucks are being evaluated at the time of this request and the one recommended for purchase will be presented to Council prior to the Committee meeting.

C. Legislative / Chronological History

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

D. Financial Impact

This purchase was planned and funding is included in the Emergency Services Department’s budget 1206220000-5313. The estimated cost is \$300,000.

E. Alternatives

1. Approve the purchase of the recommended ladder truck for immediate use and to be used as a “reserve” ladder truck.
2. Do not approve the purchase of a used ladder truck.
3. Seek other solutions.

F. Recommendation

It is recommended that Council approve the purchase of a used ladder truck as presented.

Recommended by: Michael A. Byrd, Director
Department: Emergency Services
Date: 7/1/2014

G. Reviews

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

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

Finance

Reviewed by: Daniel Driggers

Date: 7/3/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommendation based on funding available as stated in the request.

Procurement

Reviewed by: Christy Swofford

Date: 7/8/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 7/8/14

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Warren Harley

Date: July 8, 2014

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This purchase will ensure that we are able to deliver adequate fire service coverage throughout the year, and provide a reliable back up option once the new ladder truck is available.

2000 Aerial Ladder Apparatus



A search has been underway for several months to locate a used ladder truck. On July 15, 2014, an onsite inspection was conducted of a ladder truck owned by New Hanover Volunteer Fire Department in New Hanover, Pennsylvania. The truck has been very well maintained and kept in great condition. In addition to a visual and operational inspection, the truck was given a road and function test. The maintenance, inspection and test certification documents were reviewed and are acceptable. The manufacturer is KME and the truck has 12,053 miles and has 1,777 hours on the hour meter. The current owner has agreed to install all new tires, perform all preventive maintenance, and provide brand new certification and inspections as required by NFPA prior to delivery. We will not accept the apparatus until it is delivered to Richland County. The sale price of this apparatus is **\$279,000**.

This truck will be initially placed into service at station 14 in Dentsville. Once the new ladder truck is received, this will become our reserve truck. The station in Dentsville is an older station that has a low door height, a steep angle of departure, and a steep angle of approach. Most aerial apparatus will not fit into the station so the choices are limited. This aerial apparatus will be able to operate in station 14.

For comparison, here is a list of similar trucks for sale at this time.

- 1)...2007 Mid Mount Sutphen \$489.000
- 2)...2002 Rear Mount Bronto \$425.000
- 3)...1999 Rear Mount Platform Peirce \$375.000
- 4)...1999 Ladder no water Ferrara \$230.000
- 5)...2002 75ft. Quint Peirce \$325.000

Richland County Council Request of Action

Subject

Revision to the Public Defender Retention and Compensation Plan **[PAGES 24-28]**

Reviews

Richland County Council Request of Action

Subject: Revision to the Public Defender Retention and Compensation Plan

A. Purpose

County Council is requested to approve the revisions to the Public Defender Retention and Compensation Plan passed last year set forth below in the Discussion.

B. Background / Discussion

On October 1, 2013, County Council approved the Public Defender Retention and Compensation Plan which, among other things, provided a structure for regular raises for the attorney staff of the Public Defender’s office.

Since the time this plan was passed the County instituted a six per cent (6%) increase in the starting salary which has impacted the raises contemplated by the Retention and Compensation Plan. The current request makes two minor adjustments to the salary structure of the Plan. The changes are most easily seen in the table below:

	Original	Current	Requested
Starting pay	\$37,009	\$39,321	\$39,321
Salary after raise at the end of first year	\$40,000	\$40,000	\$42,500
Salary after raise at the end of second year	\$45,000	\$45,000	\$45,000
Raise in subsequent years until maximum reached	\$5,000	\$5,000	\$5,000

In short, the increase in starting pay instituted last year has almost eliminated the raise contemplated by the Plan. The change requested would result in approximately the same raise as under the original plan, followed by a reduction in the raise after the second year of service which gets the plan back on the original schedule.

The approved Public Defender Retention and Compensation Plan is attached (ATTACHMENT “A”).

C. Legislative / Chronological History

There is no legislative history for this request. The original Compensation and Retention Plan was approved by County Council on October 1, 2013.

D. Financial Impact

There will be no financial impact on County funding from this plan. As was the case when the Plan was proposed last year, the changes will be paid for by increases in state funding. In reality, an increase in spending has already occurred, independent of this request, as a result of the 6% increase in minimum salaries instituted last December.

E. Alternatives

List the alternatives to the situation. There will always be at least two alternatives:

1. Approve the request to make the minor modification to the salary structure and enable me to show attorneys in this office a career path which affords them an opportunity to make a wage consistent with their training, and encourages them to remain with this office long-term.
2. Do not approve this request, and fail to provide the financial encouragement needed to retain well trained, and motivated attorneys in this office.

F. Recommendation

I recommend that County Council approve this request to make the minor adjustments set forth above in the salary increases called for in the Public Defender Retention and Compensation Plan during the first two years of an attorney’s employment.

Recommended by: Circuit Public Defender Douglas S. Strickler
Department: 5th Circuit Public Defender
Date: June 25, 2014

G. Reviews

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

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

Finance

Reviewed by: Daniel Driggers	Date: 7/2/14
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial

Comments regarding recommendation:

This is a request for a salary plan therefore it is left to Council discretion. I would recommend that the County consider having a consistent pay plan structure instead of multiple variation for different departments.

Procurement

Reviewed by: Dwight Hanna	Date: 7/7/14
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial

Comments regarding recommendation: County Council has previously approved the Public Defender’s original Compensation and Retention Plan in 2013. Therefore, it is County’s discretion as to whether to amend the plan as requested.

HRD fully supports employees of the Public Defender’s Office and all RCG employees being eligible for appropriate wages and pay increases. Considerations for appropriately competitive pay rates include proper external market considerations as well as adequate attention to internal pay equity. Greater County wide classification and compensation plan efficiency can normally be achieved with internal equity assessment of similar jobs

at the same time. There are attorney jobs in several other RCG departments (i.e. Solicitor, CASA, and Legal). Best practice for managing pay plans efficiently suggests as the number of plans increase the complexity (possibility for errors or omissions) for administering those plans increase directly.

The Public Defender has agreed to responsible for initiating pay changes (PAFs) associated with this plan.

Legal

Reviewed by: Elizabeth McLean

Date: 7/7/14

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Warren Harley

Date: 7/15/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommend approval because the overall plan does not appear to be a major change of the original plan approved by council. However, I would agree with Finance and HRD that a comprehensive approach that creates a consistent pay structure is more desirable than individual plans for each department.

ATTACHMENT “A”

	Current Salary	Start Date	Should be as of 11/13	11/1/13	5/1/14
County PD	\$79,560.00		\$95,000.00	\$85,000.00	\$90,000.00
Deputy PD	\$58,344.00	11/01/06	\$75,000.00	\$65,000.00	\$70,000.00
Asst PD	\$47,736.00	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$47,736.00	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$47,736.00	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$50,281.92	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$58,344.00	09/01/08	\$65,000.00	\$65,000.00	\$65,000.00
Asst PD	\$47,736.00	11/01/08	\$60,000.00	\$55,000.00	\$60,000.00
Asst PD	\$42,432.00	11/01/10	\$50,000.00	\$45,000.00	\$50,000.00
Asst PD	\$42,432.00	11/01/10	\$50,000.00	\$45,000.00	\$50,000.00
Asst PD	\$42,432.00	03/01/11	\$50,000.00	\$45,000.00	\$50,000.00
Asst PD	\$47,736.00	05/01/11	\$55,000.00	\$55,000.00	\$55,000.00
Asst PD	\$47,736.00	05/01/11	\$55,000.00	\$55,000.00	\$55,000.00
Asst PD	\$39,259.15	12/01/11	\$45,000.00	\$40,000.00	\$45,000.00
Asst PD	\$39,259.15	05/01/12	\$45,000.00	\$40,000.00	\$45,000.00
Asst PD	\$39,259.15	05/01/12	\$45,000.00	\$40,000.00	\$45,000.00
Asst PD	\$37,009.00	11/15/13	N/A	\$37,009.00	\$37,009.00
Asst PD	\$37,009.00	09/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	6/3/2013	N/A	\$37,009.00	\$40,000.00
Asst PD	\$37,009.00	6/3/2013	N/A	\$37,009.00	\$40,000.00
Asst PD	\$37,009.00	6/17/2013	N/A	\$37,009.00	\$40,000.00
Asst PD	\$37,009.00	11/15/2013	N/A	\$37,009.00	\$37,009.00
Asst PD	\$37,009.00	11/15/2013	N/A	\$37,009.00	\$37,009.00
Asst PD	\$37,009.00	11/15/2013	N/A	\$37,009.00	\$37,009.00
Increase in cost				\$91,935.63	\$73,973.00

Salaries are for current attorneys and positions with start dates as reflected – names have been redacted.

Raises indicated in bold.

Richland County Council Request of Action

Subject

Authorize One Additional Attorney Position – Kershaw County [**PAGES 29-31**]

Reviews

Richland County Council Request of Action

Subject: Authorize One Additional Attorney Position – Kershaw County

A. Purpose

I request that County Council authorize one additional Attorney I position for the Kershaw County office.

B. Background / Discussion

Since the formation of the Circuit Public Defender system in 2007/2008, and its implementation in the 5th Circuit in 2011, the Kershaw County office of the 5th Circuit Public Defender has been funded sufficiently to employ two (2) attorneys.

Evaluation of the needs of the operation in Kershaw County early on revealed the need for no fewer than four (4) attorneys to staff that office at an even minimally satisfactory level.

I have lobbied Kershaw County Council consistently over a six year period to increase funding sufficiently to expand the operation there. This year Kershaw County Council has approved an increase in the amount of \$50,000 for the operation of the Public Defender office there. This increase (when combined with a modest increase of around \$6,000 in state funding this year) is sufficient to fund one new attorney position in Kershaw County.

The addition of another attorney's position in Kershaw County will enable the office to expand its representation in the summary courts of that jurisdiction – an area which has been running severely curtailed services for years now. It will also help address the out of control case loads of the two current attorneys there.

C. Legislative / Chronological History

There is no legislative history associated with this request.

D. Financial Impact

There is no financial impact associated with this request. While the Kershaw County staff persons of the Public Defender's office are Richland County employees, they are paid in full with funds supplied by Kershaw County, and by state funds allocated to the Kershaw County operation. No Richland County funds are used to support the Kershaw County operation, and this will not change with the addition of one attorney that is requested here.

E. Alternatives

1. Approve the request to add one attorney to the Kershaw County Public Defender operation, and enable the office there to fulfill its Constitutionally and statutorily mandated role in the defense of indigents.
2. Do not approve the request to add an attorney to the Kershaw County Public Defender operation and increase the very real likelihood of legal action being brought against that county by the ACLU and other concerned organizations which are closely monitoring the degree to which all the counties of this state are abiding by the requirement to provide representation for defendants in the summary courts of this state.

F. Recommendation

I recommend that County Council approve this request, and authorize the addition of one Attorney I position in Kershaw County Public Defender’s office to be paid for with Kershaw County funds.

Recommended by: Circuit Public Defender Douglas S. Strickler
Department: 5th Circuit Public Defender
Date: June 25, 2014

G. Reviews

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

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

Finance

Reviewed by: Daniel Driggers Date: 7/3/14
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

This is a funding item at the discretion of Council however as stated, funding would be provided by Kershaw County. Council may want to consider including language related to the disposition of the position if funding is not provided in the future.

Procurement

Reviewed by: Dwight Hanna Date: 7/7/14
 Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Approval at discretion of County Council. This reports not to have any budget impact on Richland County Government. HRD has not participating in or been involved in any staffing assessment or analysis and therefore, can’t comment relative to staffing needs.

Legal

Reviewed by: Elizabeth McLean Date: 7/7/14
 Recommend Council approval Recommend Council denial
Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Warren Harley Date: 7/14/14
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Richland County Council Request of Action

Subject

Charleston County-SLBE Division Intergovernmental Agreement [**PAGES 32-41**]

Reviews

Richland County Council Request of Action

Subject: Charleston County-SLBE Division Intergovernmental Agreement

A. Purpose

County Council is requested to approve an Intergovernmental Agreement (IGA) with Charleston County Government with the express authority by way of the signature of the County Administrator, for the purpose of providing technical and administrative assistance in conducting desk audits, site visits, sharing information and providing resources to the Small Local Business Enterprises (SLBE) Division.

B. Background / Discussion

- The need for technical and administrative assistance in conducting desk audits, site visits, sharing information and providing resources to the SLBE program evolved with the development of the SLBE Division.
- Charleston County's Small Business Enterprises (SBE) and Minority, Women Disadvantaged Business Enterprises (MWDBE) programs have been in existence for approximately eight years. The staff has the experience, expertise and personnel to provide Richland County with assistance on SLBE certifications on an as-needed basis.
- The SLBE Division will launch with two staff people on board who will require time to become familiarized with the program, instructed on policies and procedures and trained on the diversity management system that will be integrated later this year.
- Franklin Lee's consultation assistance will gradually end over the next several months. This provides another resource to address questions, concerns or clarifications that staff may have as the program evolves.

The IGA, which includes a Fee Schedule, is attached herein.

C. Legislative / Chronological History

- May 2013: Franklin Lee was contracted to write the ordinance, design the SLBE program and provide legal assistance through the development and implementation of the program.
- May 2014: In order to accommodate the process of certifying applications for prospective SLBE participants before the program officially launched, a consultant was hired to assist with performing an interim process of certifying firms exclusively for the Program Development Team (PDT).
- July 2014: Because the SLBE program has not launched yet, this special administrative process will be applied to the On-Call Engineering Team and Dirt Road Paving Program solicitations as well.
- There are three major components remaining to be completed before the program launches:
 - Two staff people, a Certification Specialist and a Contracts and Compliance Specialist, will need to be hired;
 - Securing space for the program offices. Adequate space has been identified at the County's Health Building next door, however, the space needs to be renovated before the program staff can move in;

- B2GNow software needs to be installed on staff computers and integrated into our financial system.

D. Financial Impact

The financial impact is at cost to Charleston County, which means Richland County will reimburse Charleston County for actual expenses incurred as a result of services provided under the terms of the IGA. The Fee Schedule is outlined in the table below.

Title	*Technical Assistance	Seminars/Educ. Programs	Site Visits	Hourly Rate	Mileage
DBE Program Manager	✓			\$36.60	\$.56 / mile
SBE Program Representative	✓	✓	✓	\$18.33	\$.56 / mile
DBE Program Representative	✓	✓		\$36.60	\$.56 / mile

E. Alternatives

1. Approve the request to enter into an Intergovernmental Agreement with Charleston County Government for the purpose of providing technical and administrative assistance to the SLBE program.
2. Do not approve the request to enter into an Intergovernmental Agreement with Charleston County Government for the purpose of providing technical and administrative assistance to the SLBE program. If this alternative is chosen, a consultant will need to be hired to provide this assistance.

F. Recommendation

It is recommended Council approve the request to enter into an Intergovernmental Agreement with Charleston County Government with the express authority by way of signature of the County Administrator, for the purpose of providing technical and administrative assistance to the SLBE Division.

Recommended by: Justine Jones
 Department: SLBE Division
 Date: 7/16/2014

G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 6/17/14
 Recommend Council approval Recommend Council denial
 Recommend Council discretion
 Comments regarding recommendation:

This is a contractual matter for Council discretion.

Legal

Reviewed by: Elizabeth McLean

Date: 7/18/14

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Tony McDonald

Date: 7/18/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The Intergovernmental Agreement with Charleston County, which has an experienced and long-standing SLBE program in place, will allow for the discontinuation of consultants currently being used for SLBE certifications. Instead, start-up assistance for Richland County's SLBE program will be provided by Charleston County, at a much lesser cost than that currently being paid to outside consultants.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN RICHLAND COUNTY,
SOUTH CAROLINA AND
CHARLESTON COUNTY, SOUTH
CAROLINA**

THIS AGREEMENT entered into this ____ day of _____, 2014, is by and between Richland County, South Carolina (hereinafter "RICHLAND") and Charleston County, South Carolina (hereinafter "CHARLESTON").

RECITALS

WHEREAS, RICHLAND has enacted a SMALL LOCAL BUSINESS ENTERPRISE ("SLBE") ordinance and program designed to ensure inclusion of small and local businesses in certain contracts with RICHLAND; and

WHEREAS, as a part of the SLBE program, RICHLAND is required to certify small and local businesses; and

WHEREAS, RICHLAND desires assistance from CHARLESTON regarding SLBE certifications; and

WHEREAS, CHARLESTON has the knowledge and manpower to provide RICHLAND with assistance on SLBE certifications; and

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

WHEREAS, S.C. Const. art. VIII, Section 13 provides that "Any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof;" and

WHEREAS, S.C. Code Ann. Section 4-9-41(A) provides that "Any county, incorporated municipality, special purpose district, or other political subdivision may provide for the joint administration of any function and exercise of powers as authorized by Section 13 of Article VIII of the South Carolina Constitution;" and

WHEREAS, S.C. Code Ann. Section 4-9-41(B) states that joint administration of any

such function “may not be construed in any manner to result in diminution or alteration of the political integrity of any of the participant subdivisions which agree to and become a part of the functional consolidation, nor may any constitutional office be abolished by it;”

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

1. Representations, Warranties and Covenants.

Each party to this Agreement represents and warrants that:

(a) it has full legal right, power and authority to enter into this Agreement and to perform and consummate all other transactions contemplated by this Agreement.

(b) it has duly authorized the execution, delivery and performance of its obligations under this Agreement and the taking of any and all actions as may be required on the part of each party to perform and consummate the transactions contemplated by this Agreement.

(c) this Agreement constitutes a legal, valid and binding obligation of each party, enforceable in accordance with its terms.

(d) there is no action, suit, proceeding, inquiry or investigation at law or in equity before or by any court, public board, or body, pending or, to the best of the knowledge of each party, threatened against any party, nor to the best of the knowledge of each party is there any basis therefore, which in any manner questions the powers of each party to this Agreement, or the validity of any proceedings taken by either party or its governing body in connection with this Agreement or wherein any unfavorable decision, ruling, or finding could materially adversely affect the transactions contemplated by this Agreement or which, in any way, would adversely affect the validity or enforcement of this Agreement (or of any other instrument required or contemplated for use in consummating the transactions contemplated thereby and hereby).

2. Services to be Provided by CHARLESTON.

Pursuant to this Agreement, CHARLESTON shall provide the following services to RICHLAND relating to SLBE certifications:

- (a) assist in reviewing SLBE applications;
- (b) conduct administrative and financial verifications;

(c) provide technical assistance to RICHLAND, as requested, in conducting SLBE certifications;

(d) identify a representative(s) who will be the only authorized contact with RICHLAND as it relates to the services to be provided under this Agreement;

(e) use at least the same degree of care, discretion and diligence in protecting the information provided by RICHLAND pursuant to this Agreement as it uses with respect to its own confidential information. CHARLESTON will limit access to the information provided by RICHLAND to its employees with a need to know the information in order to provide the services outlined in this Agreement and will instruct those employees to keep the information confidential.

3. RICHLAND will:

(a) reimburse CHARLESTON for actual expenses incurred as a result of services provided under this Agreement, as outlined in Paragraph 5, below;

(b) identify and designate a SLBE program representative(s) who will be the only authorized contact with CHARLESTON as it relates to the services to be provided under this Agreement;

(c) provide all specific work requests to CHARLESTON in a mutually agreed upon format.

4. Term and Termination.

This term of this Agreement shall be for one (1) year from the date first written above or until sooner terminated by either party upon such party giving thirty (30) days written notice to the other party of that party's intent to terminate this Agreement. This Agreement may be renewed for successive one (1) year terms up to a total of four (4) years.

5. Compensation for Services.

(a) RICHLAND shall pay CHARLESTON for services provided and actual expenses incurred under this Agreement, pursuant to the Fee Schedule attached as Exhibit A and incorporated herein.

(b) CHARLESTON shall invoice RICHLAND monthly and RICHLAND shall remit

payment within thirty (30) days of receipt of the invoice.

6. Miscellaneous Provisions.

(a) This Agreement contains the entire agreement of the parties, and no prior agreements, oral or otherwise, among the parties not embodied herein shall be of any force or effect. Any amendment to this Agreement shall not be binding upon all of the parties hereto unless such amendment is in writing and executed by all parties hereto.

(b) This Agreement may be executed in multiple counterparts, the signature pages of which may be compiled to constitute one original Agreement.

(c) This Agreement is intended to be performed in compliance with all applicable laws, ordinances, rules and regulations. If any of the provisions of this Agreement or the application thereof shall be invalid or unenforceable, then the remainder of this Agreement shall not be affected thereby but shall be enforced to the greatest extent permitted by the law.

(d) This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina without giving effect to any choice or conflict of law provision or rule of any jurisdiction that would cause the application of the laws of any jurisdiction other than the State of South Carolina.

(e) The parties hereto expressly agree that this Agreement in no way creates any agency relationship between the parties or any relationship which would subject either party to any liability for any acts or omissions of the other party to this Agreement.

7. Notices.

Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been fully given as of the date and time the same are sent by facsimile transmission, nationally recognized overnight delivery service or registered or certified mail, return receipt requested, and addressed to the parties as follows:

To CHARLESTON: 4045 Bridge View Dr
N. Charleston, SC 29405


Its: _____

To RICHLAND:

Its: _____

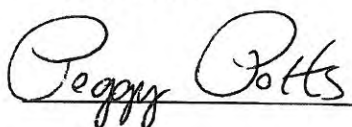
IN WITNESS WHEREOF, WE THE UNDERSIGNED have signed and sealed on the date first above written.


CHARLESTON COUNTY:



Its: ADMINISTRATOR

WITNESSES:





RICHLAND COUNTY

Its:

WITNESSES:

FEE SCHEDULE FOR RICHLAND-CHARLESTON COUNTY IGA

Title	*Technical Assistance	Seminars/ Educ. Programs	Site Visits	Hourly Rate	Mileage
DBE Program Mgr.	✓			\$36.60	\$.56 / mile
SBE Program Rep.	✓	✓	✓	\$18.33	\$.56 / mile
DBE Program Rep.	✓	✓		\$36.60	\$.56 / mile

***Technical Assistance Summary:**

- Assist in review of applications;
- Assist in development of program metrics, tracking, monitoring and reporting tools;
- Assist in outreach and site visits process;
- Assist with administrative and financial verifications;
- Assist with DBE program development of:
 - Program initiatives
 - Outreach
 - Educational programs
 - On-the-Job Training program
 - Internship program

Items Pending Analysis

Subject

Changes to Teleworking and Alternative Work Schedules in Handbook [PAGE 42]

Reviews

Notes

Based on a discussion with, and approval of the Chairman of the A&F Committee, this item is being held in Committee while staff continues to obtain and analyze information related to this item. Please note that this is not a time sensitive item. It is planned for this item to be back on the A&F agenda at the September meeting.