



RICHLAND COUNTY COUNCIL

DEVELOPMENT AND SERVICES COMMITTEE

Norman Jackson	Damon Jeter	Julie-Ann Dixon (Chair)	Bill Malinowski	Seth Rose
District 11	District 3	District 9	District 1	District 5

MARCH 24, 2015

5:00 PM

2020 Hampton Street

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: February 24, 2015 [PAGES 4 - 7]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Ordinance Amendments Regarding the Removal of the Requirements Placing a Lien on Property [PAGES 8 - 22]
3. Dog Park Program [PAGES 23 - 34]

4. 2014 Dust Suppression Contract Increase [**PAGES 36 - 43**]
5. Solid Waste Service Charge for Vacant Dwelling Units [**PAGES 44 - 50**]
6. Intergovernmental Agreement between Richland County and the City of Columbia for the proposed Olympia Neighborhood Master Plan [**PAGES 51 - 60**]
7. Interstate Interchange Lighting Project [**PAGES 61 - 83**]

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

8. Noise Ordinance [**PAGE 84**]
9. Comprehensive Youth Program [**PAGE 85**]
10. Fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants along transmission line corridors in Richland County [**PAGE 86**]

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: February 24, 2015 [PAGES 4 - 7]

Reviews

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

DEVELOPMENT AND SERVICES COMMITTEE

February 24, 2015
5:00 PM
Council Chambers

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

CALL TO ORDER

Mr. Jeter called the meeting to order at approximately 5:00 PM

ELECTION OF THE CHAIR

Mr. Rose moved to nominate Mr. Jeter for the position of Chair. The motion died for lack of a second.

Mr. Malinowski moved, seconded by Mr. Rose, to nominate Ms. Dixon for the position of Chair. The vote in favor was unanimous.

APPROVAL OF MINUTES

January 27, 2015 – Ms. Malinowski moved, seconded by Mr. Rose, to approve the minutes as distributed. The vote was in favor.

ADOPTION OF AGENDA

Mr. Jeter moved, seconded by Mr. Rose, to adopt the agenda as published.

Mr. Malinowski inquired as to why the property purchase items were placed on the D&S Agenda instead of the A&F Agenda.

The vote in favor was unanimous.

ITEMS FOR ACTION

RC Souvenirs – Mr. Rose moved, seconded by Mr. Malinowski, to table this item. The motion failed.

Mr. Jeter moved, seconded by Ms. Dixon, to forward to Council without a recommendation. The motion failed.

Mr. Rose moved, seconded by Mr. Malinowski, to forward to Council with a recommendation for denial. The motion failed.



Committee Members Present

Julie-Ann Dixon, Chair
District Nine

Norman Jackson
District Eleven

Damon Jeter
District Three

Bill Malinowski
District One

Seth Rose
District Five

Others Present:

Tony McDonald
Sparty Hammett
Warren Harley
Brandon Madden
Larry Smith
Monique Walters
Daniel Driggers
Brad Farrar
Michelle Onley
Monique McDaniels
Amelia Linder
Quinton Epps
Bill Peters
Tracy Hegler
Ashley Powell
Stacy Culbreath
Ismail Ozbek
Rudy Curtis

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Ordinance Amendments Regarding the Removal of the Requirements Placing a Lien on Property – Mr. Malinowski moved, seconded by Ms. Dixon, to table this item.

Mr. Jackson made a substitute motion, seconded by Mr. Malinowski, to defer this item until the March 24th Committee meeting. The vote in favor was unanimous.

Dog Park Program – Staff recommended retaining a consultant to design the project and work with Support Services and/or Recreation Commission to maintain the property.

Mr. Malinowski requested the following information:

- How much will it cost to maintain the park?
- How many dogs are licensed in this area?

Mr. Jeter inquired as to what attracts pet owners to dog parks.

Mr. Malinowski moved, seconded by Mr. Rose, to defer this item until the March 24th Committee meeting to allow staff an opportunity to obtain the estimated financial impact, including the building and maintenance, and any costs associated with retaining a consultant. The vote in favor was unanimous.

Neighborhood Improvement Program Property Purchase – Candlewood – Mr. Malinowski moved, seconded by Mr. Rose, to refer this item to the A&F Committee. The vote in favor was unanimous.

Fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants along transmission line corridors in Richland County

Mr. Washington inquired about the impact on the farmers that traverse those corridors and the potential liability to drivers due to increased wildlife presence.

Mr. Rose moved, seconded by Mr. Jackson, to defer this item to explore potential partnership with SCANA, to pursue grants or funding opportunities available, to obtain a cost analysis, and address the concerns expressed by Council members. The vote in favor was unanimous.

Intergovernmental Service Agreement with the City of Forest Acres

Mr. Malinowski inquired as to who will be responsible for his retirement.

Mr. Malinowski moved, seconded by Mr. Rose, to forward to Council with a recommendation to approve the Intergovernmental Service Agreement with the City of

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Forest Acres to permit the services of Richland County Magistrate Phillip F. Newsom for the position of Forest Acres Associate Municipal Judge and to address the retirement compensation in the proposed agreement.

Richland County Conservation Commission (RCCC) Request to Negotiate Property Purchase: Executive Session – Mr. Jackson moved, seconded by Mr. Malinowski, to forward this item to Council without a recommendation. The vote in favor was unanimous.

ITEMS PENDING ANALYSIS

Noise Ordinance – Held in committee.

Comprehensive Youth Program – Held in committee.

Interstate Interchange Lighting Project – Held in committee.

ADJOURNMENT

The meeting adjourned at approximately 5:34 p.m.



Richland County Council Request of Action

Subject

Ordinance Amendments Regarding the Removal of the Requirements Placing a Lien on Property [**PAGES 8 - 22**]

Reviews

Richland County Council Request of Action

Subject: Ordinance Amendments Regarding the Removal of the Requirements Placing a Lien on Property

A. Purpose

County Council is requested to approve ordinance amendments to remove the requirements placing a lien on property if owners do not pay their sewer bill, or if owners do not maintain lots, and allow them to become overgrown.

B. Background / Discussion

On September 9, 2014, Council member Jackson brought forth the following motion:

“Remove the requirements placing a lien on property if owners do not pay sewer bill or if owners do not maintain overgrown lots.”

The County can place a lien on property if the property owner does not pay their sewer service charges, sewer connection charges and/or capital sewer service charges, under the Richland County Code of Ordinances, Chapter 24, Utilities; Article II, Water and Sewer Service Generally; 24-7, Powers of the council; 24-8, Unpaid water or sewer charges a lien; and Chapter 24.5, Special Sewer Assessment District; 24.5-42, Authorization and enforcement of charges; 24.5-43, Sewer service charges and sewer connection charges created as liens; 24.5-44, Capital sewer service charges created as liens. See attached ordinance(s).

As a point of reference, pursuant to South Carolina Code of Laws, creating a lien against real property is an available method for a governing body to collect overdue sewer charges; however, it is not mandatory. See the appropriate State law(s) below:

SECTION 6-15-90. Levy of assessment for annual sewer service charge. In the event that it is impractical to provide for the collection of all or any part of the sewer service charge jointly with charges rendered by a private or public agency for water service, then in such event the governing body shall be fully empowered to levy an assessment for the annual sewer service charge. Prior to the making of any sewer connection or the furnishing of any sewage disposal service for which the prescribed sewer service charge shall pursuant to Section 6-15-100 become a lien on the property affected and prior to any subsequent increase in any sewer service charge not less than ten days' written notice shall be given to each affected property owner notifying him of the nature and quantum of the sewer service charge and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel before the governing body. Following such hearing, if such be requested and held, action shall be taken by the governing body and notice of its decision shall be given to the property owner concerned or his counsel as the case may be not less than ten days prior to the effective date of the sewer service charge. Any property owner aggrieved by the action of the governing body may proceed by appeal in the court of common pleas for the county in which his property or any part thereof lies, to have such court review the action taken by the governing body at which time the court will determine the validity and reasonableness of the sewer service charge. Sewer service charges not intended to become liens in the case of nonpayment may be imposed and subsequently increased upon any user without such notice and hearing. The

appeal provided for herein shall be pursuant to the provisions of Chapter 7 of Title 18, providing for appeals to the court of common pleas.
HISTORY: 1962 Code Section 59-507.8; 1965 (54) 693.

SECTION 6-15-100. Lien for sewer service charge. If the notice or notices prescribed by Section 6-15-90 shall have been given and any hearing requested pursuant thereto shall have been held all connection or tapping fees, sewer service charges and other charges imposed by the governing body following that procedure under authority of this chapter and not paid when due and payable, shall constitute a lien upon the real estate to which the sewage service concerned relates so long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the governing body in law or in equity for the collection of such fees and charges, the lien may be enforced by the governing body in the same manner and fashion as the lien of property taxes on real estate.
HISTORY: 1962 Code Section 59-507.9; 1965 (54) 693.

SECTION 6-15-110. Other methods of collecting overdue charges. The method provided in this chapter for the enforcement of the collection of past due sewer service charges and connection fees by creating the liens against real property is not the exclusive method of enforcing this collection and the governing body is fully empowered to enforce the collection of these fees and charges in any other lawful manner in all or any part of the municipality, county, or special purpose district, including particularly by way of a contract as authorized under Section 6-15-80.

The County can place a lien on property with an overgrown lot within a developed residential area or commercial area within the County, under the Richland County Code of Ordinances, Chapter 18, Offenses; Section 18-4. Weeds and rank vegetation. See attached ordinance. Council may consider that according to a South Carolina Attorney General's opinion, the County is likely prohibited from placing liens on property owners with overgrown lots.

In either of the aforementioned instances, if the County files a lien, the County currently only collects the lien when the property is sold.

C. Legislative / Chronological History

Motion by Mr. Jackson – September 9, 2014

D. Financial Impact

The financial impact to the County regarding this motion is unknown at this time. However, the County would have to absorb the costs associated with delinquent sewer service charges, sewer connection charges and/or capital sewer service charges within the County. Additionally, the County would have to absorb the costs associated with maintaining the overgrown lots of property owners within the County. As a point of reference, last year (January 2013 – December 2013) the County provided maintenance services on 117 overgrown lots.

E. Alternatives

1. Approve the ordinance amendments to remove the requirements placing a lien on property if owners do not pay their sewer bill or if owners do not maintain lots, and allow them to become overgrown.

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2. Approve the ordinance amendment to remove the requirements placing a lien on property if owners do not pay their sewer bill.
3. Approve the ordinance amendment to remove the requirements placing a lien on property if owners do not maintain lots, and allow them to become overgrown.
4. Approve a policy that will suspend or terminate the utility services being provided to the property if owners do not pay their utility bill. This policy may include an option for the County to utilize the SC Department of Revenue's debt collection programs (Set-Off Debt/GEAR) to collect delinquent payments from the property owners. Staff can develop the policy and bring the policy back to Council for their consideration.
5. Do not approve the ordinance amendments.

F. Recommendation

This recommendation was made by Mr. Jackson. This is a policy decision for Council.

Recommended by: Norman Jackson

Department: County Council

Date: 9/9/14

G. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 12/9/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

There is not a recommendation made on the ROA. I would recommend alternative five and that the County continue to utilize this process as a collection tool.

Sheriff:

Reviewed by: Chris Cowan

Date: 12/9/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

At this time we would like clarification on the Attorney General's Opinion vs what we received from County Legal during the committee meetings on this issue. Placing the "Lien" on letters (and as an option for the County to enforce) provides the Code Enforcement Deputies the language that action can be taken against the property owner for not remedying the problem.

Legal

Reviewed by: Elizabeth McLean

Date: 12/11/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Legal recommends removing the lien language from the weeds and rank vegetation ordinance as we are likely prohibited from placing them in that circumstance; as to the liens for utility/sewer, that is a policy decision left to

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Council's discretion. If Council chooses to remove the lien language, the County could attempt to recoup its costs via the Set-Off Debt program, which is already in use for other citizen debts to the County.

Utilities/Administration

Reviewed by: Sparty Hammett

Date: 12/11/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Administration recommends that Council obtain an Attorney General's opinion as to the legality of placing liens on property for overgrown lot violations. If this language is removed, it would significantly impact the ability of the Sheriff's Department to enforce the ordinance and increase the number of overgrown lots that have to be cut by Public Works.

Administration recommends Council discretion in regard to removing the lien language for Utilities. If Council decides to remove the language, Administration recommends the use of the Set-Off Debt program.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-14HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 24, UTILITIES; ARTICLE II, WATER AND SEWER SERVICE GENERALLY; SECTIONS 24-7 AND 24-8; AND AMENDING CHAPTER 24.5, SPECIAL SEWER ASSESSMENT DISTRICT; ARTICLE III, FINANCING IMPROVEMENTS; RATES AND CHARGES; SECTIONS 24.5-42, 24.5-43 AND 24.5-44; SO AS TO DELETE THE REFERENCES TO LIENS AS A COLLECTION METHOD FOR UNPAID BILLS.

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 THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 24, Utilities; Article II, Water and Sewer Service Generally; Section 24-7, Powers of Council; is hereby amended to read as follows:

Sec. 24-7. Powers of the council.

The council shall be empowered as follows:

- (1) To enter into contracts by which any special purpose district or municipality in the county may agree to maintain and operate any part or all of any water and sewer facilities of the county or under its control, on a cost basis or any reasonable basis.
- (2) To make any and all regulations which shall be deemed appropriate in connection with the construction, establishment, maintenance and use of any water or sewer facilities of the county or under its control.
- (3) To acquire, establish, maintain, operate, extend, enlarge, and improve such system of water lines, mains and pipes and sewers, sewer lines, sewer mains, and sewage disposal and treatment facilities as, in the opinion of the council, is required for the maintenance of the health of the county.
- (4) To purchase or lease existing water and sewer lines, mains, systems and disposal or treatment plants and to make contracts whereby they may be connected to the lines or systems which it may establish.
- (5) To employ such engineering, clerical and other help as it deems necessary and fix the salaries and compensation of such employees.
- (6) To place into effect and to revise by resolution a schedule of rates and charges upon all those who receive benefits from the water or sewer facilities of the county.

(7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.

(8) To contract for or otherwise acquire a supply of water and sell water for industrial and domestic use.

(9) To enter into contracts for the sale of water with persons, private corporations, municipalities or other public or private bodies.

(10) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(11) To require a permit for connection with any sewer constructed and maintained by the county, and as a condition to the issuance of any such permits, to promulgate regulations prescribing the type and manner of connections permitted to be made therewith, to inspect such connections to ensure compliance and to make a reasonable charge for permits sufficient to cover the cost thereof and of such inspection.

(12) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(13) In addition to the rates and charges provided for in paragraph (6), to place into effect and revise whenever it so wishes or may be required a schedule of water and sewer service or connection charges for the use of and connection to any water or sewer facilities which it may operate, ~~which charges shall, pursuant to section 24-8, become a lien on the property affected. Prior to the making of any connection or the furnishing of any service for which the prescribed service charge shall become a lien on the property affected and prior to any subsequent increase in any such service charge, not less than ten (10) days' written notice shall be given to each affected property owner notifying him of the nature and quantum of the service charge and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel before the council or its designee. Following such hearing, if such be requested and held, action shall be taken by the council and notice of its decision shall be given to the property owner concerned or to his counsel, as the case may be, not less than ten (10) days prior to the effective date of the sewer service charge. Any property owner aggrieved by the action of the council may proceed by certiorari in the court of common pleas for the county to have such court review the action taken by the county, at which time the court will determine the validity and reasonableness of the service charge so made.~~ Service charges ~~not intended to become liens~~ in the case of nonpayment can be imposed and subsequently increased upon any user in the unincorporated area of the county without ~~such~~ notice and hearing.

(14) To enter into contracts with any water distribution agency upon terms and conditions to be mutually agreed upon by which the council shall authorize the water distribution agency to add the sewer service charges to the charge rendered for water service in a single bill, shall constitute the water distribution agency its agent for the purpose of collecting such sewer service charges as the council shall from time to time impose upon those who utilize

its sewer facilities and shall empower the water distribution agency as such agent to disconnect water service upon failure of any user to pay such sewer service charges.

(15) To adopt and enforce regulations requiring all persons to whom it shall be available to make use of any water or sewer facilities which the county shall from time to time operate; and generally with respect to the discharge of sewage and the use of privies, septic tanks and any other type of sewer facilities within the unincorporated area of the county.

SECTION II. The Richland County Code of Ordinances; Chapter 24, Utilities; Article II, Water and Sewer Service Generally; Section 24-8, Powers of Council; is hereby amended to read as follows:

Sec. 24-8. Collection of unpaid Unpaid water or sewer charges ~~a~~ lien.

~~(a) If the notice or notices prescribed by paragraph (13) of section 24-7 shall have been given and any hearing requested pursuant thereto shall have been held, all water or sewer service charges imposed by the council following that procedure under authority of this article and not paid when due and payable shall be and constitute a lien upon the real estate to which the water or sewer service concerned relates so long as the water or sewer service charges remain unpaid. In addition to such other rights and remedies as may be available to the council in law or in equity for the collection of the water or sewer service charges, the lien may be enforced by the council in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except liens for unpaid property taxes.~~

~~(b) The method provided in this article for the enforcement of the collection of past due water or sewer service charges shall not be the exclusive method of enforcing such collections and~~ T~~he council~~ county is fully empowered to enforce the collection of any such past due or unpaid water or sewer service charges in any ~~other~~ lawful manner in all or any part of the unincorporated area of the county, including particularly by way of a contract with a water distribution agency as authorized under paragraph (14) of section 24-7.

SECTION III. The Richland County Code of Ordinances; Chapter 24.5, Special Sewer Assessment District; Article III, Financing Improvements; Rates and Charges; Section 24.5-42, Authorization and Enforcement of Charges; is hereby amended to read as follows:

Sec. 24.5-42. Authorization and enforcement of charges.

~~(a) The sewer service charges, sewer connection charges and capital sewer service charges may become liens on the property on which they are imposed, provided that the notice and public hearing requirements of sections 24.5-25, 24.5-43 and 24.5-44 hereof have been met. If adopted in the form of a lien, such unpaid sewer service charges, sewer connection charges and capital sewer service charges shall remain liens as long as they remain unpaid. In addition to such other rights and remedies as may be available to the county in law or in equity for the collection of unpaid sewer service charges, sewer connection charges and capital sewer service charges, the lien may be enforced by the~~

~~county in the same manner and fashion as the lien of property taxes on real estate. The lien herein provided shall be superior to all other liens except liens for unpaid property taxes.~~

~~—(b) The method provided in this article for the enforcement of the collection of past due sewer service charges, sewer connection charges and capital sewer service charges shall not be the exclusive method of enforcing such collection and the~~ The county is fully empowered to enforce the collection of any such past due or unpaid sewer service charges and capital sewer service charges in any ~~other~~ lawful manner, which methods include the entering into contracts for the collection of such charges with other political subdivision.

SECTION IV. The Richland County Code of Ordinances; Chapter 24.5, Special Sewer Assessment District; Article III, Financing Improvements; Rates and Charges; Section 24.5-43, Sewer service charges and sewer connection charges created as liens; is hereby amended to read as follows:

Sec. 24.5-43. Sewer service charges and sewer connection charges ~~created as liens.~~

The council shall place into effect and revise whenever it so wishes or may be required a schedule of sewer service and sewer connection charges to be imposed within the district for the use of the connection to the system. ~~Prior to the imposition of any sewer service charges or sewer connection charges authorized by the provisions of this chapter and which are to become liens in accordance with sections 6-15-90 and 6-15-100 of the Code of Laws of South Carolina, 1976, as amended, and prior to any subsequent increase in any such sewer service charges or sewer connection charges, not less than fifteen (15) days' written notice shall be given to each affected property owner notifying him of the nature and quantum of such charges and providing such property owner an opportunity, if desired and requested, to appear and be heard in person or by counsel before the council. Following such hearing, if such be requested and held, action shall be taken by the council and notice of its decision shall be given to the property owner concerned or to his counsel, as the case may be, not less than ten (10) days prior to the effective date of the sewer service charge and sewer connection charges. Any property owner aggrieved by the action of council may appeal to the court of common pleas for Richland County to have such court review and action taken by the council as the validity and reasonableness of the sewer service charge and sewer connection charges.~~

SECTION V. The Richland County Code of Ordinances; Chapter 24.5, Special Sewer Assessment District; Article III, Financing Improvements; Rates and Charges; Section 24.5-44, Capital sewer service charges created as liens; is hereby amended to read as follows:

Sec. 24.5-44. Capital sewer service charges ~~created as liens.~~

(a) The council shall place into effect and revise whenever it so wishes or may be required a schedule of capital sewer service charges which will be used to retire debt incurred to finance that portion of the system within a particular district. The capital sewer service charges shall be based on the estimated cost of the establishment and construction of any sewer lateral collection lines and any extensions thereof constructed within the district, or so much of the estimated cost thereof as the council in its discretion deems appropriate, and shall be assessed upon the lots and parcels of land abutting directly on such lateral lines or

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extensions thereof according to the extent of the respective frontage thereon by an equal rate per foot of such frontage; but the council may, in its discretion, provide, in the instance of corner lots, for a charge deemed to be equitable. If part or all of the district is part of a development plan or zoned for residential use, then such capital sewer service charges may be levied by the council on a parcel or per unit basis rather than on a front-foot basis. The capital sewer service charges to be levied in connection with such installations may be paid in equal installments covering a period not to exceed twenty (20) years. Such deferred payments shall be payable annually within the period that county taxes are payable and late payments shall be penalized to the same extent as in the case of county taxes.

(b) In connection with the imposition of such capital sewer service charges:

(1) The council shall provide a general description of the improvements to be made and the street or parts thereof whereon the work is to be effected and the estimated cost thereof and the amount of the cost to be assessed upon all abutting properties and the terms and manner of payment. Such description may incorporate by reference plats and engineering reports and other data on file in the office of the county coordinator of utilities and services provided that the place of filing and reasonable hours for inspection by interested persons are specified in the ordinance imposing the capital sewer service charges. Within thirty (30) days of the creation of a district, the council shall prepare in poster form a notice advising of the proposed capital sewer service charges and generally describing the area to be affected and shall deliver the notice to the register of mesne conveyances of the county. The register of mesne conveyances shall prominently display such notice in his office until an assessment book compiling a list of all residents and property owners of the district has been prepared by the county auditor and filed with the council. Failure to provide or post such notice shall not affect the validity of any such assessment.

(2) Immediately after such assessment book has been completed, the council shall forthwith cause one copy thereof to be deposited in the office of the register of mesne conveyances for inspection by interested parties, and shall cause to be published at least once in a newspaper of general circulation in the county a notice of the completion of the assessment book. This notice shall set forth a description in general terms of the improvements and the time fixed for the meeting of the council for a hearing of objections in respect of the capital sewer service charges. Such meeting shall not be earlier than ten (10) days from the date of the publication of such notice.

(3) As soon as practicable after the completion of the assessment book and prior to the publication of the notice mentioned in the preceding paragraph (2), the council shall mail to the owner or owners of each lot or parcel of land against which a capital sewer service charge is to be levied at his or their address, if any, appearing on the records of the county auditor, a notice stating the nature of the improvement, the principal amount of bonds to be issued in order to finance the improvements, the appropriated amount to be assessed against the particular property in order to repay the bonds, and the frontage in feet or charge per parcel upon which the capital sewer service charge is based, together with the terms and conditions upon which the capital sewer service charge may be paid. This notice shall also contain a brief description of the district together with a statement

that the amount assessed shall constitute a lien against the property superior to all other liens except property taxes. The notice shall also state the time and place fixed for the meeting of the council mentioned in the preceding paragraph (2) for a hearing of objections in respect of the capital sewer service charge. Any property owner who fails to appear at the meeting and shall have failed not later than three (3) days prior to the date set for such meeting, to file with the council a written objection to the capital sewer system charges against his property shall be deemed to have waived all rights to object to such capital sewer service charges and the notice prescribed herein shall so state.

(4) At the time and place specified for the meeting above-mentioned, or at some other time to which it may adjourn, the council shall hear the objections of all persons who have filed written notice of objection within the time prescribed above who may appear and make proof in relation thereto either in person or by their attorney. The council may thereupon make such corrections in the assessment book as it may deem proper, confirm the same or set it aside and provide for a new assessment.

Immediately upon the confirmation of a capital sewer service charge, the council shall mail a written notice (the confirmation notice) to all persons who have filed written objections as hereinabove provided of the amount of the capital sewer service charge confirmed against his property. Such notice shall be given to the affected property owners not less than ten (10) days prior to the effective date of the capital sewer service charge.

Subsequent to the council's confirming an assessment book, either as originally prepared or as thereafter corrected, a copy thereof certified by the clerk of the council shall forthwith be filed in the office of the register of mesne conveyances. ~~From the time of such filing the capital sewer service charges impressed in the assessment book shall constitute and be a lien on the real property against which the same are assessed superior to all other liens and encumbrances except only the lien for property taxes.~~

(5) After the assessment book has been confirmed, a certified copy thereof shall be delivered to the county treasurer who shall prepare and keep a separate book or books in connection therewith and who shall proceed to collect the same in the manner of county taxes and shall remit such collections on or before April fifteenth of each year upon the direction of the council. Each year the county auditor shall mail out notices of such capital sewer service charges at the same time county tax notices are mailed. ~~Past due capital sewer service charges shall be turned over by the county treasurer to the tax collector who shall proceed to collect in the same manner as unpaid county taxes are collected. The collecting official shall likewise keep separate records in connection with such past due assessments and shall remit all sums collected forthwith upon the direction of the council.~~

(6) If any such person is dissatisfied with the amount of the capital sewer service charge so confirmed, such person shall within ten (10) days after the mailing of the confirmation notice to him, give written notice to the council of his intent to appeal the capital sewer service charge to the court of common pleas for the county, and shall within five (5) days after giving such notice to the council serve upon the council a

statement of facts upon which he bases his appeal. Any property owner who fails to give the notice of his objection prescribed by this paragraph, shall be deemed to have waived all rights to object to the capital sewer service charge and the confirmation notice shall so state and shall also advise of the appeal procedure provided by this paragraph. No such appeal shall delay the construction of the improvements or affect the validity of the capital sewer service charges confirmed and not appealed.

(7) Subsequent to the confirmation of an assessment book, the council may correct, cancel or remit any such capital sewer service charge and may remit, cancel or adjust the interest or penalties of any capital sewer service charge and is empowered, when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto, to set aside the capital sewer service charge made by it and thereupon to make a reassessment.

(c) In the event the council provides that such capital sewer system charges may be paid in equal annual installments, then any property owner shall have the right at any time in his option to prepay in full the capital sewer service charge against his property by the payment of the balance due plus interest calculated to the date of prepayment. ~~If any property owner shall fail or neglect to pay any installment when the same becomes due and payable, then and in that event the council may, at its option, declare all of the installments remaining unpaid at once due and payable and such property may be sold by the county sheriff in the same manner and with the same right of redemption as are prescribed by law for the sale of land for unpaid property taxes.~~

SECTION VI. Severability. If any section, subsection, or clause of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.

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

SECTION VIII. Effective Date. This Ordinance shall be enforced from and after _____, 2014.

RICHLAND COUNTY COUNCIL

BY: _____
Norman Jackson, Chair

ATTEST this the _____ day of _____, 2014

S. Monique McDaniels
Clerk of Council

Item# 2

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-14HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES; SECTION 18-4. WEEDS AND RANK VEGETATION; SUBSECTION (F); SO AS TO PROHIBIT THE PLACING OF LIENS TO RECOUP WORK COSTS.

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 THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; Subsection (f); is hereby amended to read as follows:

(f) *Removal by county.* In the event any property is determined to be a nuisance, and twenty (20) days has elapsed after such notice has been served, deposited in the United States Mail, or posted upon the premises, then the department of public works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by cutting and removing such weeds or other rank vegetation, ~~and the cost of doing so may become a lien upon the property affected, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.~~ The county is fully empowered to collect all costs of such work in any manner available to it in law or equity.

SECTION II. Severability. If any section, subsection, or clause of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.

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 _____, 2014.

RICHLAND COUNTY COUNCIL

BY: _____
Norman Jackson, Chair

ATTEST this the ____ day of _____, 2014

S. Monique McDaniels

Item# 2

Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Item# 2

Richland County Council Request of Action

Subject

Dog Park Program [**PAGES 23 - 34**]

Reviews

MEMORANDUM

TO: Richland County Council

CC: Sparty Hammett, Holland Leger, Ashley Powell

FROM: Tracy Hegler, Planning Director

DATE: February 19, 2015

RE: Dog Park on Decker Boulevard

In an ROA drafted in October of 2015, a request was made that Council direct staff to investigate the feasibility of implementing a dog park at 2628 Decker Boulevard, the former Zorba's Restaurant Site. The purpose of this memo is to provide supporting documentation for the aforementioned request of action.

Background/Discussion:

Research shows that dog parks promote responsible pet ownership as well as licensing and vaccination. Dog parks allow dogs to exercise and socialize, which can result in making them less aggressive and therefore safer for the community. Analysis has shown that urban areas with dog parks are home to happier pets and owners.

Last year Richland County Animal Care recorded 4,937 dogs licensed; however, unincorporated Richland County currently does not have any public space designated for use by pets and their owners. In contrast many counties operate dog parks, such as Greenville County which operates three highly successful ones. As such, staff has identified the need for a dog park and proposed the use of the old Zorba's Site on Decker Boulevard as the development of a park on this site coincided with the prescriptions of the Renaissance Master Plan.



Design:

Richland County currently retains ownership of 1.7 acres of the 2.57 acre parcel located at 2628 Decker Boulevard. If approved, approximately 1 acre would be designated for active use as a dog park.

Initial analysis of design needs based upon research of other dog parks determined that, at a minimum, the park will require landscaping, perimeter fencing, pet waste receptacles and access to a water spigot. Other less essential, but equally common, features of dog parks include furniture for owners and pets, walking trails, double gated fencing for size/breed restricted areas and shelters.



Example Dog Park Design | .85 acres | Denver, CO.

Under Richland County Zoning, recreation facilities typically require 1 parking space for every 200 sq. ft. of activity space; however, because there is no precedent in the county for this specific land use and this would lead to excessive parking on site, parking will be prescribed for the site based on the Park's design and review of other dog parks' parking requirements.

Liability:

Conclusions from staff’s initial study of area dog parks found that liability is most commonly handled by making owners responsible for the actions of their pets as a part of the terms and conditions for use of the site. Signage is posted articulating that, by using the facility, owners agree to take full responsibility for the actions of their pets. Any incident which occurs in the dog park is documented and if it is serious local law enforcement is involved and citations are issued accordingly.

In the majority of parks surveyed by staff, grounds are not regularly monitored by any sort of park staff; instead they rely on self-policing as a deterrent to undesired behaviors. However, staff or a committee of volunteers is available for questions, concerns or occurrences that require intervening. Though there is typically a governing body for each of the parks surveyed, their involvement in day to day interactions in the park is minimal.

An example of an Ordinances governing off-leash Dog Parks can be found below:

Town of New Hartford, NY

§ 88-8. Domestic animals; Sherrillbrook Dog Park.

[Amended 8-20-1997 by L.L. No. 9-1997; 6-13-2007 by L.L. No. 2-2007]

A. Domestic animals, including dogs, cats and horses, are to be leashed and under control of the owner, guardian or caregiver, at all times while within the park.

(1) Exception. Dogs may be off leash while inside the Dog Park located at Sherrillbrook Park. All users of the dog park must have a valid registration on file with the Parks Office and with the Department of Animal Control.

(2) All users of the dog park must adhere to the rules and regulations provided upon registration for a user ID card. The rules and regulations will also be posted at the entrance of the dog park and shall also be available at the park offices and animal control office. Violators will be subject to removal from the park, suspension of park privileges and subject to fines, as outlined in §§ 56-1A through E, 56-1.2A through F, 56-2, and 88-8 through 88-10 of the laws of the Town of New Hartford, in addition to the Oneida County Sanitary Code, Article XV, Section 2, Subsection 3h and i, along with Article 7, § 119, Subsections (a), (b) and (c), of the State of New York Agriculture and Markets Law; along with § 121 of the State of New York Agriculture and Markets Law; along with § 2145 of the New York State Public Health Law, Title IV, Article 21.

B. Sherrillbrook Dog Park.

(1) Access; application; hours.

(a) Entry to, and use of, the dog park is restricted to Town-approved applicants only.

(b) Entry to the dog park is gained by proper use of a Town-issued magnetic access card.

(c) Persons seeking an application to use the dog park can do so by contacting the Town Parks and Recreation Office located in Sherrillbrook Park; telephone: 724-0654.

(d) Dog park hours and capacity.

[1] April through September: 8:00 a.m. to 7:30 p.m.

[2] October through March: 8:00 a.m. to 5:00 p.m. (weather permitting).

[3] Maximum capacity shall not exceed 110 dogs.

(2) Dog park rules and regulations.

(a) Persons making use of the dog park do so at their own risk of injury to selves and dogs.

(b) Persons making use of the dog park shall be responsible for injuries caused by their dogs to other persons and dogs. Persons responsible for any such injuries or property damage shall hold the Town of New Hartford harmless for same.

(c) Persons making use of the dog park must be 18 years of age or older, and dogs must be at least four months old, properly licensed with the state, with proper vaccinations for rabies. Parvo/distemper and bordatella vaccinations are recommended.

(d) No entry will be permitted without a park registration tag, dog license tag, and rabies identification tag attached to the dog collar.

(e) Allowing other individuals to utilize a dog pass or to give access to unregistered dogs will result in immediate suspension of privileges.

(f) No choke, prong or spike collars, as these can injure dogs during play.

(g) The permit holder must have in his or her possession a mutt mitt (baggy) or some other form of equipment to clean up after his or her dog(s). All waste must

be placed in a mutt mitt and placed in a waste receptacle provided at the park in accordance with § 56-1.2 of the New Hartford Code.

(h) No animals other than dogs may be brought into the dog park.

(i) Dogs must never be left unattended. The dog owner/permit holder must keep an eye on his or her dog(s) at all times and keep a leash available at all times.

(j) Dogs must be leashed at all times when not in the dog park.

(k) Dogs may not be brought into the park if they are less than four months old, sick or unhealthy, have a history of aggressiveness, have been adjudicated as dangerous by a court of law, or are females in heat.

(l) If aggressive action is observed, the permit holder must leave the park immediately with the aggressive dog.

(m) Children under 12 years of age must be closely supervised at all times. It is strongly urged that, for their own safety, young children not be brought to the dog park; if they are, the children must be close enough to hold an adult's hand at all times.

(n) No food, treats, rawhide chews, alcoholic beverages, glass containers, strollers, bicycles, skateboards, roller blades or toys will be allowed in the dog park area. Littering and smoking is prohibited.

(o) No more than three beings (dogs and/or small children) per handler will be allowed.

(p) Dog owners must immediately fill any holes their dogs dig; a shovel will be provided at the dog park entrance.

(q) Professional dog trainers/behaviorists and dog walkers are not permitted to use the dog park to conduct their business unless they are participating in a park-sponsored program approved by the New Hartford Parks Department.

(r) Dogs, permit holders and park users creating a disturbance or violating rules must immediately leave the off-leash area if requested by law enforcement personnel, park personnel or their designated agents.

(s) No large dogs will be allowed in the small-dog area and vice versa.

(t) All gates must be closed at all times after entering or leaving.

(u) All dog bites must be reported to the New Hartford Animal Control Department at 733-6666. If a bite occurs, the dog's owner must exchange his or her name and phone number with the other dog owner.

(v) The Town of New Hartford Parks and Recreation Department reserves the right to close the dog park area for maintenance and repairs.

(3) Enforcement. Enforcement of the above rules and regulations is under the immediate supervision of the Town of New Hartford Animal Control Officer. Violators of dog park rules and regulations will be subject to one or more of the following:

(a) Removal from the park;

(b) Suspension of park privileges;

(c) Revocation of dog park permit; and/or

(d) A fine as outlined and provided in §§ 56-1A through E, 56-1.2A through F, 56-2, and 88-8 through 88-10 of the laws of the Town of New Hartford, in addition to the Oneida County Sanitary Code, Article XV, Section 2, Subsection 3h and i, along with Article 7, § 119, Subsections (a), (b) and (c), of the State of New York Agriculture and Markets Law; along with § 121 of the State of New York Agriculture and Markets Law; along with § 2145 of the New York State Public Health Law, Title IV, Article 21.

Financial Impact:

The portion of the parcel that is anticipated for use as active park space would, at a minimum, require a fence to enclose the tract as well as additional landscaping. The estimated cost of implementation would depend heavily on the design of the park and could be paid through the Neighborhood Improvement Program (NIP) Budget.

As a comparative figure, the Conestee Dog Park in Greenville, South Carolina, which is approximately 1.01 acres and features a 14, 000 sq. ft. small dog area, a 30,000 sq. ft. large dog area, double gated entry, naturalized areas, rounded fences to minimize canine conflict, benches, shade shelters and potable running water was a total expenditure of about \$95,000.

Dog Park Membership Fees could potentially pay for operational and maintenance costs. Average fees range from \$25 - \$50 in Columbia area dog parks. Anything above and beyond operational and maintenance costs could help recoup original construction costs or be utilized for future improvements. A list of nearby dog parks and the fees associated with membership is below:

- A. NOMA Paw Park, City of Columbia
 - i. \$25 per dog, per year on or before June 30th
 - ii. \$15 per dog, per year on or after July 1st

Note: Requires general information about pet including age, breed, spay/neuter, documentation of most recent rabies vaccination and distemper booster and city or county pet license

- B. Paw Park, Lexington
 - i. In town rate: \$30 for the first dog; additional dog(s) \$15 each with a maximum of 3 dogs per household
 - ii. Out of town rate: \$50 for first dog; additional dog(s) \$25 each with a maximum of 3 dogs per household
- C. SesquiDog Park at Sesquicentennial State Park
 - i. \$25 per dog, per year
 - ii. Permits are prorated depending on date of purchase
 - iii. Daily permits are available for \$4
- D. James Island County Park Dog Park, Charleston County
 - i. \$1 per day

Maintenance:

Staff found that maintenance of pet parks varies depending on the size and location of the park. Most parks researched by staff are maintained by a partnership formed by a board of volunteers or pet enthusiasts and a local Parks and Recreation Department.

Waste Management:

Responsible pet ownership is essential to operating and maintaining a pet park. Pet owners are contractually required to pick up after their pets and properly dispose of waste in order to continue use of facilities. Failure to do so results in immediate suspension or termination of park privileges. According to the result of the surveys conducted by staff, pet parks are generally self-policed and owners do well maintaining the cleanliness of the park and adhering to the aforementioned rules.

Water Quality Protective Measures:

Because the prospective site for the county's inaugural dog park is bordered by Gills Creek, it is essential that staff take into consideration possible unintended consequences on the watershed and ways to mitigate stormwater impacts.

In a study conducted by the State of Rhode Island Department of Environmental Management Office of Water Resources, urban dog parks are recognized as a method of protecting local water quality. National trends show that pet owners are more likely to clean up after their pets in a dog park rather than in other public areas. This alone helps tremendously to lessen the effect of animal fecal matter in stormwater runoff. The use of signage and the proper provisions of waste receptacles and bags encourage cleanup and further help to alleviate potentially harmful effects to waterways.

The United States Environmental Protection Agency suggests pet waste management programs, such as those found in urban dog parks, which focus on an increase in public awareness, display educational signage and encourage proper disposal through local ordinances or by launching public education campaigns that inform the public are the most effective way to lessen the harmful effects of pet waste on waterways.

Local dog parks, such as the NOMA Bark Park at Earlewood Park, have even adopted their neighboring waterways and launched annual cleanups and tree plantings to help mitigate the effects of siting a dog park next to a waterway. Since adopting the Smith Branch Creek and implementing the clean-up and tree planting, regular testing of the creek has shown steady improvement despite the presence of the bark park.

Recommendation:

Given the findings provided above, staff recommends immediately soliciting a consultant to design the Park, which would include appropriate water quality protective measures, and provide detailed cost estimates.

The following tasks will also need to be completed after the park is designed:

- Establish a dog park ordinance, which would be reviewed by Animal Care for consistency with their Code
- Determine source of construction costs
- Determine how the park should be maintained (note: if by Richland County Support Services, then additional funding and staff must be identified)
- Establish fees for use of the park
- Establish a volunteer board to oversee the management of the park, to include at a minimum contracts with pet owners, proof of vaccinations, and collection of fees

Richland County Council Request of Action

Subject: Dog Park Program

A. Purpose

Richland County Council is requested to direct staff to investigate the feasibility of creating a dog park program, with a pilot dog park to begin at 2618 Decker Boulevard (the former Zorba's Restaurant site).

B. Background / Discussion

Various citizens have expressed an interest in creating a dog park at the former Zorba's Restaurant site – see attached map. Staff has agreed to investigate the feasibility of initiating a dog park program with the inaugural park at the aforementioned site should Council have an interest in doing so.

Analysis of the benefits of a dog park has shown that dog parks promote responsible pet ownership, as well as licensing and vaccination. Dog parks allow dogs to exercise and socialize which can result in making them less aggressive, and therefore safer for the community.

The proposed inaugural site is within the County's Renaissance Plan (Master Plan) for Decker Boulevard and the greater Woodfield Park neighborhood area. As a means by which to preserve and improve water quality, the Master Plan supports reclaiming areas in the Jackson Creek flood plain for recreational and conservational uses. As such, the development of a dog park on the former Zorba's Restaurant site is in line with the vision of the Master Plan.

Additionally, the County owns the parcel, as it was purchased under a Federal Emergency Management Agency (FEMA) grant in 2014. The old restaurant structure has recently been demolished.

C. Legislative / Chronological History

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

D. Financial Impact

The portion of the parcel that is anticipated as the pilot project would, at a minimum, require a fence to enclose the tract as well as additional landscaping. Parking may also be needed. The estimated cost of implementation would depend heavily on the design of the park.

No funding sources have been identified at this time.

Dog Park Membership Fees could potentially pay for operational and maintenance costs. Average fees range from \$25 - \$50 for dog parks in the Columbia, SC area. Anything above and beyond operational and maintenance costs could help recoup original construction costs or be utilized for future improvements.

E. Alternatives

1. Approve the request to direct staff to investigate the feasibility of creating a dog park program, including the pilot site.

2. Do not approve the request to direct staff to investigate the feasibility of creating a dog park program.

F. Recommendation

It is recommended that Council approve the request to direct staff to investigate the feasibility of creating a dog park program, including the pilot site.

Recommended by: Sparty Hammett

Department: Administration

Date: October 14, 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: 10/16/14

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommendation supports Council providing staff direction.

Conservation

Reviewed by: Quinton Epps

Date: 10/21/14

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Planning

Reviewed by: Tracy Hegler

Date: 10/21/14

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Animal Care

Reviewed by: Sandra Haynes

Date: 10/21/14

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 10/22/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: As to the general issue of the exploration of a dog park program, that is left to Council’s discretion. For comments specific to the site recommended in the ROA, see separate cover document.

Item# 3

Administration

Reviewed by: Sparty Hammett

Date: 10/23/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend directing staff to investigate the feasibility of creating a dog park program, including the pilot site. All aspects of the pilot site would be investigated including any potential environmental impacts.

Inaugural NIP Dog Park Site Aerial View:

Decker Boulevard

Partial Parcel of land acquired by Richland County

2618 Decker Boulevard -- R16907-03-05

2.5700 Acres



Item# 3

Richland County Council Request of Action

Subject

2014 Dust Suppression Contract Increase [PAGES 36 - 43]

Reviews

Richland County Council Request of Action

Subject: 2014 Dust Suppression Contract Increase

A. Purpose

County Council is requested to approve a contract increase for the 2014 Dust Suppression Project in the amount \$13,431.93.

B. Background / Discussion

Public Works – Roads and Drainage funded the 2014 Dust Suppression Project (Project), which was started on August 7, 2014 and was completed on September 30, 2014. The Project provided dust suppression treatment for county maintained dirt roads. We have been performing this service for four years and have been sole sourcing it to Southeastern Road Treatment since they were the only bidder the first two years we bid it out – see attached memo.

Public Works had estimated that the contract would cost approximately \$90,000. With this contract, the area supervisors typically add a road or two while the trucks are in their area and this will increase our contract value. It usually increases the contract value \$2,000 to \$3,000. Last year, Southeastern Road Treatment also had a \$0.02 increase in the price per gallon that was not reflected in the original estimate. This was the first increase in price over the past four years. With the addition of roads and increase in price, our project total was over the \$100,000 threshold that can be approved by Administration with the additional cost of \$13,431.93. Roads and Drainage has the funding in their budget for this increase. A copy of the roads that were treated is included with this ROA

C. Legislative / Chronological History

- Dust Suppression Project Request Memorandum sent to Procurement on June 9, 2014. This memorandum was approved on June 9, 2014 by:
 - Sparty Hammett, Assistant County Administrator
 - Ismail Ozbek, P.E., Public Works Director
 - Carlton Hayden, Roads and Drainage General Manager

D. Financial Impact

A contract increase for the 2014 Dust Suppression Project in the amount of \$13,431.93 is needed to pay the final invoice for the work completed. The requested funds are available in the Roads & Drainage budget.

E. Alternatives

1. Approve the request for a contract increase from the Public Works Roads & Drainage Budget in the amount of \$13,431.93 for the 2014 Dust Suppression Project.
2. Do not approve the request for a contract increase from the Public Works Roads & Drainage Budget in the amount of \$13,431.93 for the 2014 Dust Suppression Project.

F. Recommendation

It is recommended that Council approve the request for a contract increase from the Public Works Roads & Drainage Budget in the amount of \$13,431.93 to pay the final invoice for work completed

Recommended by: Ismail Ozbek, Director

Department: Public Works

Date: March 9, 2015

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 3/13/15

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Procurement

Reviewed by: Cheryl Patrick

Date: 03/13/2015

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 3/17/15

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Sparty Hammett

Date: 3/19/15

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Number	Road Name	Council District	Length	Width	Application Width
1	Jack Stoudemayer	1	6,113	22	14
2	Summer Haven	1	1,000	22	14
3	Dr. Pinner	1	1,291	22	14
4	Mike Eleazor	1	2,891	22	14
5	Muddy Ford Road	1	4,844	20	14
6	Ken Webber	1	1,755	18	14
7	Haven Circle	1	1350	18	14
8	Bailey Slice Road	1	730	18	14
9	Miller Eleazer Road	1	790	18	14
10	Wayne Mccaw	1	2,561	24	14
11	Sam Bradshaw Road	1	4,650	15	14
12	Jessie Stoudemayer	1	1,390	15	14
13	George Eargle Road	1	3,800	15	14
14	Rocky Ridge Road	1	2,725	19	14
15	Harry Derrick Road	1	2,777	19	14
16	Bookie Richardson Road	1	3,534	20	14
17	Stone House Road	1	4,000	20	14
18	Back Acres Road	1	3,649	19	14
19	Guise Road	1	2,982	19	14
20	Miles Bowman Road	1	2,569	20	14
21	Bob Dorn Road	1/2 Partial Dividing Line	2,200	20	14
22	Elton Walker Road	2	2,478	19	14
23	Lilton Road	2	700	22	14
24	Entzminger Path	2	964	22	14
25	E. J. W. Road	2	5,300	20	14
26	La Brew	2	1,040	18	14
27	Dobson Road	2	1,960	24	14
28	Abell Road	2	635	18	14
29	Hiram Allen Road	2	3,900	21	14
30	Gunter Circle	2	4,000	19	14
31	Bruton Road	2	4,422	18	14
32	George Robertson Road	2	1,552	20	14
32	Tidwell	2	1,806	14	14
33	Russ Brown Road	2	5,764	20	14
34	Claude Bundrick Road	2	8,300	20	14
35	Pond Valley Road	7	2,252	22	14
36	Valarie Road	7	1,517	22	14
37	Sara Matthews Road	7	2,086	18	14
38	Larger Street	7	2,000	21	14
39	Archer Avenue	9	2,000	22	14
40	Vallenga Road	9	1,870	18	14
41	Nassau Drive	9	702	18	14
42	Westchester Avenue	9	1,080	28	14
43	County Line Road	9	4235	26	14
44	Bud Keef Road	9	4,500	30	14
45	Adams Pond Road	9	1,487	18	14
46	Spring Creek Road	9/10 Dividing Line	3,090	22	14

Item# 4

47	Lassiter Jacobs	10	4,000	22	14
48	Old Palmetto Circle	10	1,986	22	14
49	Meeting House Road	10	4,104	22	14
50	Z. C. Clarkson	10	8,448	22	14
51	Lille Rose	10	890	22	14
52	H.L. Clarkson	10	2,390	22	14
53	James Watson	10	7,777	22	14
54	Screaming Eagle Road Extension	10	33,364	22	14
54	Sulton Johnson	10	2,465	18	14
55	Dry Branch Way	10	4,124	17	14
56	Goffman	10	3,960	20	14
57	Calvin Mays Road	10	1,722	18	14
58	Smith Myers Road	10	1,527	15	14
59	Grant Road	11	1,129	22	14
60	Kepper Drive	11	3,263	18	14
61	Old Leesburg Road	11	5,630	24	14
62	Barkley Drive	11	1,291	25	14
Roads that were added by Crew Supervisors					
63	Jake Eargle	1	890	20	14
64	Ollie Dailey	1	958	20	14
65	Tally Adams	10	2,332	22	14
66	Oscar Amick	1	2,385	25	14
67	Shop Yard	1	800	20	14
68	Walter McCartha	1	800	24	14
69	Lynn McCartha	1	2,798	24	14
70	Howard Coogler	1	1682	22	14



Department of Public Works
Memorandum



June 9, 2014

To: Christy Swofford, Asst. Procurement Director

From: J. Stacy Culbreath, P.E., Asst. County Engineer

Sub: Dust Suppression Contract

Public Works - Roads and Drainage, would like to begin our 2014 dust suppression contract. We have prepared a list of county maintained dirt roads that have had had a dust suppression treatment previously as well as all new requests that have come in via one stop since the last application in July of 2013.

Public Works has publicly bid this project out before with the latest being in April 2012. The only bidder for each of these bids was South Eastern Road Treatment located in Evans, Ga. (V006345).

Based on our verbal and email conversation on May 15, 2013 about sole sourcing this project since we have had only one bidder for the previous bids, I have contacted South Eastern Road Treatment directly for the current pricing per gallon. The current price is \$0.91 per gallon. The price per gallon last year was \$0.89 per gallon. Based on our list of roads, we anticipate a fee of approximately \$88,000 for this project and will input a requisition into IFAS for this project.

I have attached a list of roads that will be part of this project.

Approvals:


Carlton Heyden, Roads and Drainage General Manager


Ismail Ozbeck, P.E., Interim Public Works Director


Sparty Hammett, Assistant County Administrator

Number	Road Name	Council District	Length	Width	Application Width	Total SF	Total SY	1 Pass Gallons
1	Jack Stoudemayer	1	6,113	22	14	65,582	8,608.11	2,587.48
2	Summer Haven	1	1,050	22	14	14,000	1,555.56	460.00
3	Dr. Pinner	1	1,291	22	14	15,074	2,008.23	542.32
4	Mike Eleazer	1	2,891	22	14	40,474	4,487.11	1,214.32
5	Muddy Ford Road	1	4,044	20	14	67,616	7,535.11	2,034.48
6	Ken Webber	1	1,758	18	14	24,570	2,730.00	737.10
7	Haven Circle	1	1,350	18	14	18,900	2,100.00	587.00
8	Bailey Slice Road	1	730	18	14	10,220	1,135.56	308.60
9	Miller Eleazer Road	1	790	18	14	11,060	1,228.89	331.60
10	Wayne Mccaw	1	2,561	24	14	35,854	3,983.78	1,075.62
11	Sam Bradshaw Road	1	4,030	15	14	65,100	7,233	1,953.00
12	Jessie Stoudemayer	1	1,380	15	14	19,480	2,162	583.80
13	George Eangle Road	1	3,800	15	14	53,200	5,911	1,596.00
14	Rocky Ridge Road	1	2,728	19	14	38,150	4,239	1,144.50
15	Harry Derrick Road	1	2,777	19	14	38,678	4,320	1,168.34
16	Bookie Richardson Road	1	3,534	20	14	49,476	5,497	1,494.28
17	Stone House Road	1	4,000	20	14	56,000	6,222	1,680.00
18	Back Acres Road	1	3,649	19	14	51,085	5,678	1,532.58
19	Guisea Road	1	2,982	19	14	41,748	4,638	1,252.44
20	Milas Bowman Road	1	2,568	20	14	35,968	3,968	1,078.88
21	Bob Dom Road	1/2 Partial Dividing Line	2,200	20	14	30,800	3,422	924.00
21	Eton Walker Road	2	2,478	19	14	34,692	3,854.87	1,040.78
22	Lifton Road	2	700	22	14	9,800	1,088.80	294.00
23	Entzinger Path	2	904	22	14	13,496	1,480.58	404.88
24	E. J. W. Road	2	6,300	20	14	74,200	8,244.44	2,228.00
25	La New	2	1,040	18	14	14,560	1,617.78	436.80
26	Dobson Road	2	1,960	24	14	27,440	3,048	823.20
27	Abell Road	2	635	18	14	8,890	988	266.70
28	Hiram Allen Road	2	3,900	21	14	54,600	6,087	1,638.00
29	Gunter Circle	2	4,000	19	14	56,000	6,222	1,680.00
30	Bruton Road	2	4,432	18	14	61,908	6,879	1,857.24
31	George Robertson Road	2	1,562	20	14	21,728	2,414	631.84
32	Russ Brown Road	2	6,784	20	14	80,608	8,958	2,420.88
33	Claude Bundrick Road	2	8,300	20	14	116,200	12,911	3,486.00
34	Pond Valley Road	7	2,252	22	14	31,528	3,503	945.84
35	Valerie Road	7	1,517	22	14	21,238	2,358.78	637.14
36	Sara Matthews Road	7	2,088	18	14	29,204	3,244.89	876.12
37	Larger Street	7	2,000	21	14	28,000	3,111	840.00
38	Archer Avenue	9	2,000	22	14	28,000	3,111	840.00
39	Vilenga Road	9	1,870	18	14	26,180	2,908.89	785.40
40	Nassau Drive	9	702	18	14	9,828	1,092.00	294.84
41	Westchester Avenue	9	1,080	28	14	15,120	1,680.00	453.60
42	County Line Road	9	4235	26	14	59,290	6,587.78	1,778.70
43	Bud Keel Road	9	4,500	30	14	63,000	7,000	1,890.00
44	Adams Pond Road	9	1,487	18	14	20,818	2,313	624.54
45	Spring Creek Road	9/10 Dividing Line	3,080	22	14	43,260	4,805.67	1,297.80
46	Laister Jacobs	10	4,000	22	14	56,000	6,222	1,680.00
47	Old Palmetto Circle	10	1,886	22	14	27,004	3,088	834.12
48	Meeting House Road	10	4,104	22	14	57,456	6,384	1,723.68
49	Z. C. Clarkson	10	8,448	22	14	118,272	13,141	3,548.16
50	Lila Rose	10	890	22	14	12,460	1,384	373.60
51	H. L. Clarkson	10	2,380	22	14	33,460	3,718	1,003.80
52	James Watson	10	7,777	22	14	108,078	12,008	3,268.34
53	Screaming Eagle Road Extension	10	33,364	22	14	467,096	51,899.58	14,012.88
54	Z. C. Clarkson	10	8,450	18	14	118,300	13,144.44	3,548.00
55	Sulton Johnson	10	2,465	18	14	34,510	3,834.44	1,035.30
56	Dry Branch Way	10	4,124	17	14	57,736	6,415	1,732.08
57	Goffman	10	3,960	20	14	55,440	6,160	1,683.20
58	Calvin Mays Road	10	1,722	18	14	24,108	2,679	723.24
59	Smith Myers Road	10	1,827	15	14	21,878	2,375	641.34
60	Grant Road	11	1,129	22	14	16,806	1,756	474.18
61	Kepper Drive	11	3,263	18	14	45,682	5,078	1,370.48
62	Old Leesburg Road	11	5,630	24	14	78,820	8,758	2,384.80
63	Bankley Drive	11	1,281	25	14	18,074	2,058	542.22
							Total Gallons	93,221.10
							Total Cost	\$64,831.20

Item# 4

Stacy Culbreath

To: Richie Allen - (SERT)
Subject: Dust Suppression Richland County

From: Richie Allen - (SERT) [<mailto:richiea@biology.net>]
Sent: Tuesday, May 27, 2014 4:31 PM
To: Stacy Culbreath
Subject: RE: Dust Suppression Richland County

Stacy,
Our price for treating the roads in Richland County for 2014 is .91 per gallon.
Thank you.

Richie Allen
South Eastern Road Treatment, Inc
www.calclunchloride.com
706-860-1893

Richland County Council Request of Action

Subject

Solid Waste Service Charge for Vacant Dwelling Units **[PAGES 44 - 50]**

Reviews

Richland County Council Request of Action

Subject: Solid Waste Service Charge for Vacant Dwelling Units

A. Purpose

Council is requested to not charge property owners for a service they do not use or receive.

B. Background / Discussion

At the February 17, 2015 Council meeting, Mr. Jackson brought forth the following motion:

“Property owners should not be charged for a service they do not use or receive. Garbage services, except for commercial services, rental, etc. If there is proof of non-use then that property owner should not be charged.”

Residents of Richland County have curbside collection of household trash, recyclables, yard waste and bulk items. Each dwelling unit is currently assessed a solid waste service charge of \$249 on their annual real property tax notice to fund the countywide curbside collection program. The service charge was by design to be paid in advance of initiation of collections. From the time the program was authorized by County Council in 1984, all dwelling units were assessed the service charge. Once the solid waste service charge was collected, service was initiated at the dwelling unit. The charge was only removed at such time as the house was deemed not habitable by the county. The typical standard has been that the electricity had to be turned off for the house to be deemed not habitable.

Curbside collection contracts were/are structured such that the county pays the hauler a set monthly fee based on the number of household trash carts assigned to dwelling units. Curbside service is provided to all owners of dwelling units pursuant to the ordinance. Most owners use the service every week while others use the service as needed.

When a house is deemed not habitable by the county, a number of actions are triggered.

1. The Solid Waste & Recycling staff removes the house from the hauler list and the hauler is no longer paid to make that stop.
2. All roll carts are picked up by Solid Waste & Recycling staff.
3. The Solid Waste & Recycling staff recommends to the Auditor that the balance of the solid waste fee be refunded to the owner of the parcel where the house is located.
4. The Auditor typically requests that the Treasurer issue the refund check.
5. The Solid Waste & Recycling staff sends a recommendation to the Auditor that the solid waste charge be removed from the next scheduled annual real property tax notice.

When a house is deemed habitable whether by Certificate of Occupancy for new homes or by Solid Waste & Recycling for houses returning to habitable status, the following actions are triggered.

1. The Solid Waste & Recycling staff invoices the parcel owner for the solid waste set-up fee and the prorated solid waste service charge.

2. Once they have been paid, carts are delivered to the location and the hauler is notified to add the location to their routine service list.
3. Solid Waste staff notifies the Auditor that the house is a dwelling unit and recommends that the solid waste fee be added to the next scheduled annual tax notice.

The same process would be necessary if we made adjustments based on occupancy.

In January 1984, pursuant to action of County Council, Richland County Code of Ordinances, Chapter 12: Garbage, Trash and Refuse, became effective.

Among other matters, the ordinance established a curbside collection program for household trash throughout the unincorporated area of Richland County. Sec. 12-14 (a) states that “The entire unincorporated area of the county shall be designated as a roll cart service area . . .”

The ordinance further stated in Sec. 12-23 (a) states that “Owners of residential property in the unincorporated area of the county . . . shall be assessed a service charge for the purpose of financing the collection of solid waste.”

Additionally, Sec. 12-12 defines Residential Property as “Property which contains residential dwelling units . . .” It further defines a Dwelling Unit as “one or more habitable rooms which are intended to be occupied by one (1) family with facilities for living, sleeping, cooking and eating and from which the county would collect refuse . . .”

To summarize the ordinance:

- Residential property owners shall be assessed the charge
- Residential property is property that contains a dwelling unit
- A dwelling unit is by definition habitable.

On April 27, 1984, following questions by the Richland County Auditor about pro-rating solid waste fees based on whether a dwelling unit was occupied, Council issued a written response to the Auditor under signature of Tom Elliot and Billy E. Taylor which in its summary stated “Each residence is to be charged for the type of service received. Therefore, if a home or mobile home is habitable, it is immaterial as to whether it is occupied. The ordinance was never intended as a record-keeping device for occupancy of homes.” See Attachment A.

C. Legislative / Chronological History

2/17/15 – Mr. Jackson brought forth the following motion: “Property owners should not be charged for a service they do not use or receive. Garbage services, except for commercial services, rental, etc. If there is proof of non-use then that property owner should not be charged.”

D. Financial Impact

The actual financial impact of accounting for vacant houses is impossible to predict. Staff does not know the true number of homes that would be vacant at any one time nor for how long. In the latest roll out of recycle carts we mailed 46,000 information packets to the citizens. About 2,000 of those were returned by the USPS due to the house being determined vacant by USPS criterion. If one assumed that to be a representative number, it would extrapolate to about 3,500

houses countywide. Tracking, managing and adjusting service charges for that many homes on average would have substantial adverse impact on solid waste fee collections and also a substantial impact based from having to hire staff to monitor vacancies, determine when and how much of a refund to issue and the cost to re-establish service. The number and locations of vacant houses would be a moving target for which staff would have minimal ability to track. It would require several staff just to pick up and deliver carts alone. If the carts are not picked up a new occupant could resume service simply by placing the cart back at curbside.

E. Alternatives

1. Approve the motion to not charge property owners for a service they do not use or receive. If this alternative is selected, Council should note that this would likely require redevelopment of critical sections of the abovementioned ordinance. It is understood that when the house becomes occupied, the owner of the property shall (1) be responsible for notifying the county that the house is no longer vacant; (2) pay the solid waste set-up fee; and, (3) pay the prorated solid waste service charge to re-establish service.
2. Do not approve the motion to not charge property owners for a service they do not use or receive.

F. Recommendation

This is a policy decision of Council.

Recommended by: Norman Jackson

Department: County Council

Date: February 17, 2015

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: 3/9/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

As stated in the recommendation, this is a policy decision for Council. Currently there is not an “opt-out” option for the service and to my knowledge there has not been a complete analysis to determine the cost impact of the alternative. It could be accomplished but would recommended that the County understand the cost of implementation and the method of how to accomplish prior to approval.

Approval of alternative one would require several changes such as:

- An amendment to the ordinance

- Change in the County operational processes for multiple departments (potentially Auditor, Treasurer, Solid Waste, and Finance) that would allow for tracking, monitoring and billing adjustments.
 - o This should include a documented process of how service level will be determined, approved and controlled?
 - o How adjustments/errors will be handled? By which department?
- Determine impact on fee structure based on change both short term and long term
- Determine if the change will impact the payment of hauler contracts inclusive of how billing/payments will be reconciled if service is provided to ineligible

Solid Waste

Reviewed by: Rudy Curtis

Date: 3/9/15

Recommend Council approval

✓ Recommend Council denial

Comments regarding recommendation:

Comments regarding recommendation:

It is recommended that Council choose Alternative 2 based on the following.

- As written, the ordinance provides no pathway to remove charges from any property with a dwelling unit located on it. The ordinance would necessarily have to be redeveloped to allow for such.
- The tracking of which house is vacant and not vacant would be impractical which was the apparent conclusion of Council in 1984 when there were far fewer dwellings to monitor.
- The financial bookkeeping would be problematic and time consuming for Solid Waste & Recycling, the Auditor, the Treasurer and Finance.
- If a distinction were made between a vacant dwelling and a vacant rental dwelling, staff would have to engage in deciding if the property is truly a rental property or not. That decision is problematic itself. Any house can be rented at any time without any declaration of being a rental property. Rental property owners could declare that they have a vacant dwelling and not a vacant rental property to avoid the solid waste service charge. Staff would be left with the difficult task of making the final decision with insufficient information.
- We have no practical means to control service to a dwelling unit based on whether the unit is vacant or not with current staff and technology. Every time a dwelling is vacated, service would be stopped and each and every time someone moves in service would have to be restarted. It would be necessary for staff to pick up the carts when vacated and returned them when service is reinstated. There is no practical way for the current staff to monitor such and we would not have sufficient staff to manage the work.
- The proposed concept tends toward making curbside collection an optional service. Richland County currently manages the only mandatory countywide curbside collection program in the state and as such arguably provides the best service in the state. Much of the reason it is the best program is based on the fact

that the program is mandatory and by being mandatory, funding is always relatively clear. Several counties including Lexington County provide countywide curbside collections through franchise agreements with private haulers but the service is optional – month-to-month. In discussing franchise service with the haulers for a number of years, most have indicated that optional service for residential service is problematic because the customer base fluctuates monthly and cash flow does likewise.

- Revenue will necessarily be reduced by this action, the consequence may result in either a decline in level of service eventually or the solid waste fee may have to be increased.
- Our curbside program funds our recycling efforts and those efforts are critical to the long-term sustainability goals of the county. Making curbside service optional to any degree could have a significant impact on the recycling program.

Owners of vacant dwellings are required by ordinance to maintain the property to certain aesthetic standards which necessarily means that yard waste will be generated which will be put out for collection.

Legal

Reviewed by: Elizabeth McLean

Date: 3/19/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: See legal comments under separate cover.

Administration

Reviewed by: Warren Harley

Date: 3/20/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Richland County is charged with protecting the life, health, safety and welfare of our citizens. Part of that charge requires us to pursue policies that allow us to carry out that responsibility. In this case an ordinance that requires all households participate in our curbside garbage program enables us to pursue and achieve this objective in the most cost effective manner. This ordinance allows Richland County to provide for the protection of life, health and safety of citizens and allocate the cost of this policy to citizens such that the burden of providing the service is shared among those who benefit. The argument could be made that those who benefit include those who live and work in Richland County and not just those who use the service. Protecting life health and safety is at the center of why we provide this service. Therefore there is a clear public benefit. To allow the proposed opt out provision would necessarily require Richland County to change the level of service provided to prevent the cost of the service from being a burden on those participates who decide to keep the service. It could also hinder our efforts to provide for the welfare of our citizens.

JUN 11 1984 11:30AM RICH. CNTY. PUB. WORKS
JIMMY C. GILES
JAMES R. BARBER, III
THOMAS E. DORSEY



LILLIE S. HERRINGTON, P. 1
W. R. ROGERS
BILLY E. TAYLOR
GANDY Y. WAILES

ATTACHMENT A

THE COUNTY COUNCIL FOR RICHLAND COUNTY

1701 Main Street Post Office Box 192 Columbia, South Carolina 29202

April 27, 1984

Mrs. Patricia T. Anshley
Richland County Auditor
2020 Hampton Street
Columbia, SC 29204

Dear Pat:

In response to your memorandum of April 19th, enclosed are Council minutes of December 20, 1983, and January 3, 1984, concerning the policy established for billing and collection of solid waste.

We believe the problems you listed have been addressed and resolved by the Council, since there would be only three reasons the amount charged for service would be other than \$69.00. The first would be if the resident received greenbox service. The second would be if the property had no buildings at all or none worthy of occupancy. Finally, if a building or mobile home was not ready for occupancy January 1, 1984, it would be necessary to pro-rate the amount for the number of months it was habitable.

We have been constantly assured by all departments that such a system was in place. Therefore, anyone who was charged \$69.00 and did not get a corrected bill or did not insist on delivery of their roll cart cannot have their bill pro-rated now.

Each residence is to be charged for the type of service received. Therefore, if a home or mobile home is habitable, it is immaterial as to whether it is occupied. The ordinance was never intended as a record-keeping device for occupancy of homes.

We hope this answers your questions. Sometimes we fear that we in government want to complicate things that really should be kept simple.

Sincerely,

Tom Elliott
Tom Elliott

Billy E. Taylor
Billy E. Taylor

TD:RET:RF:maw

Enclosure

Joe - FKI
RL

Richland County Council Request of Action

Subject

Intergovernmental Agreement between Richland County and the City of Columbia for the proposed Olympia Neighborhood Master Plan [PAGES 51 - 60]

Reviews

Richland County Council Request of Action

Subject: Intergovernmental Agreement between Richland County and the City of Columbia for the proposed Olympia Neighborhood Master Plan

A. Purpose

County Council is requested to approve an intergovernmental agreement (IGA) with the City of Columbia to develop the proposed Olympia Neighborhood Master Plan. The master plan's proposed study area is located within the boundaries of the unincorporated area of Richland County and the City of Columbia. The intergovernmental agreement will outline the role and expectations that would be required of both the County and City for this joint project.

B. Background / Discussion

On March 1, 2005, the Richland County Council approved the first 10 priority focal areas for Neighborhood Master Planning. The Neighborhood Improvement Program staff is tasked with ensuring completion of the master plans and working with Council to initiate the plans' respective strategies. Since 2005, staff has procured consultants to complete each plan, and to date, have completed nine (9) of the ten (10) proposed plans. The Spring Hill and Lower Richland (Hopkins) Plans are the most recent plans to be completed. In the spring of 2014, Council discussed the next proposed plan area to be addressed. The Olympia area rose to the forefront, due to proposed commercial development activity, an increase in residential student housing demand, an increase in land-use conflict complaints from citizens, concern for development in the floodplain, expansion of the Vulcan Quarry and conservation related issues surrounding Rocky Branch Creek.

On June 2, 2014, County Council passed by unanimous vote, a one-time budget allocation of \$75,000 for the preparation of the Olympia Neighborhood Master Plan contingent upon an equal and full partnership with the City of Columbia. Since that time, staff has been working with the City of Columbia Planning staff to coordinate an approach and methodology to complete the plan in accordance with direction from Council.

The Request for Proposals (RFP) to select a consultant to prepare the Plan will be prepared jointly and coordinated by the City of Columbia. Selection and approval of the consultant will be a joint effort by both local government entities.

Pending Council approval of entering into an agreement with the City of Columbia, the Olympia Master Plan would become the 10th primary focus area for Neighborhood Master Planning to be undertaken by the Neighborhood Improvement Program (NIP).

A map of the proposed Olympia study area (named Three Mills) and the proposed IGA is attached for reference.

C. Legislative / Chronological History

June 2, 2014 – Council approved a one-time budget allocation of \$75,000.00 to fund the Olympia Master Plan contingent upon an equal partnership with the City of Columbia.

D. Financial Impact

Developing a Master Plan for the Olympia Neighborhood has a budgeted total cost of \$150,000. In June 2014, County Council allotted \$75,000 of funding for this project. Additionally, the City of Columbia will contribute \$75,000 towards the Plan. The contributions from both the County and the City will fulfill the budgeted total cost. This cost includes selecting the master plan consultant.

E. Alternatives

1. Approve the intergovernmental agreement with the City of Columbia for the preparation of the proposed Olympia Neighborhood Master Plan. If approved, preparation of the master plan can move forward, and once a consultant is selected, a contract will be brought to Council for approval.
2. Do not approve the intergovernmental agreement with the City of Columbia for the preparation of the proposed Olympia Neighborhood Master Plan. If not approved, the County may be forced to take on the full financial responsibility for the preparation of the proposed master plan.

F. Recommendation

It is recommended that Council approve the request to allow staff to continue to coordinate planning efforts with the City of Columbia toward the preparation of the Olympia Master Plan now that agreement with the City of Columbia is underway.

Recommended by: Tracy Helger, AICP
Department: Planning and Development Services
Date: March 05, 2015

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: <u>Daniel Driggers</u>	Date: 3/9/15
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Procurement

Reviewed by: <u>Cheryl Patrick</u>	Date: 3/10/2015
✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Legal

Reviewed by: Elizabeth McLean

Date: 3/20/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion. Even though there is some language related to liability and the City will be the contracting party, the City cannot indemnify and hold the County harmless, so we cannot completely eliminate the County's liability. Also, I believe that the City's legal counsel still must review this document, so I would recommend Council approval be subject to any minor (non-material) modifications to the document as a result of that review.

Administration

Reviewed by: Sparty Hammett

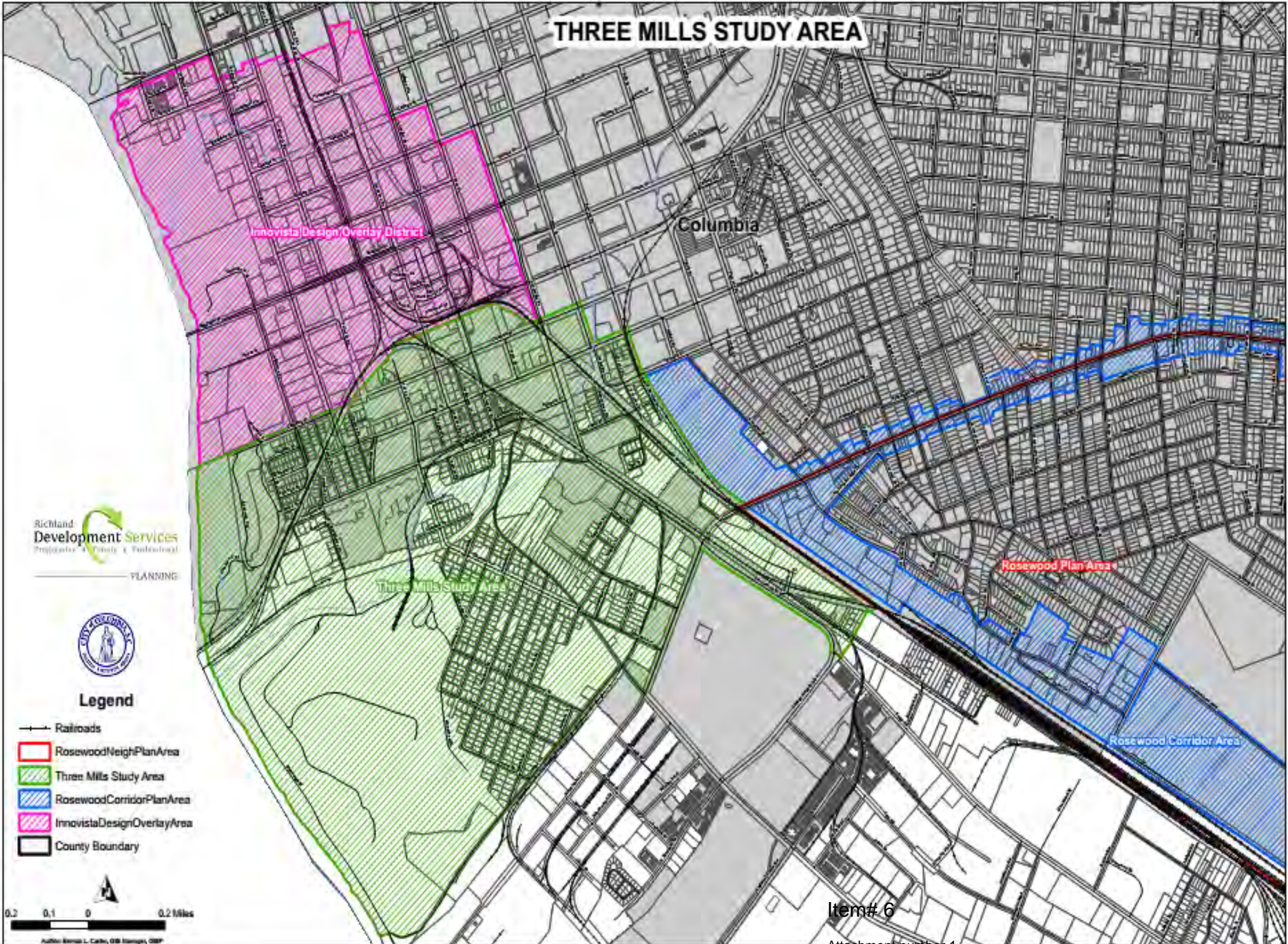
Date: 3/20/15

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

THREE MILLS STUDY AREA



Richland
Development Services
Progressive & Proactive
PLANNING



Legend

- Railroads
- Rosewood NeighPlan Area
- Three Mills Study Area
- Rosewood Corridor Plan Area
- Innovista Design Overlay Area
- County Boundary



Item# 6

Attachment number 1
Page 4 of 9

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) **INTERGOVERNMENTAL AGREEMENT**
BETWEEN THE CITY OF COLUMBIA AND
RICHLAND COUNTY, SOUTH CAROLINA

This agreement, made and entered into in duplicate originals this ____ day of _____, 2015, by and between the **County of Richland**, a body politic duly created and existing pursuant to the provisions of the S.C. Code Ann. § 4-9-10 *et seq.* (hereinafter referred to as “the County”), and the **City of Columbia**, a municipal corporation, created and existing pursuant to S.C. Code Ann. § 5-7-10 *et seq.* (hereinafter referred to as “the City”).

WITNESSETH:

ARTICLE 1 – CREATING A JOINT NEIGHBORHOOD MASTER PLAN.

WHEREAS, due to development pressures, significant land-use changes, and a demonstrated need for an area and corridor plan, the City and the County have a mutual interest in coordinating and creating a joint neighborhood master plan (hereinafter referred to as “the Plan”) for the Olympia, Granby, Whaley, and South Assembly areas (hereinafter referred to as “Project Area”); and

WHEREAS, there is an intergovernmental application (that includes the City and the County) to the State Infrastructure Bank that involves proposed transportation enhancements to the Assembly Street corridor; and

WHEREAS, the Project Area is located within the two regulatory jurisdictions, i.e. the City and County; and

WHEREAS, the City and the County are willing to jointly fund, manage and implement a Plan for the Project Area; and

WHEREAS, the City and the County both desire to utilize these funds in a coordinated fashion to undertake a joint planning process for the Project Area; and

WHEREAS, it is expected the development of the Plan will take approximately eighteen (18) to twenty-four (24) months; and

WHEREAS, the City and the County will jointly implement the Plan, after its adoption, for the period of time necessary to satisfactorily achieve the goals and complete the recommendations outlined in the adopted Plan; and

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

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

Section I. – Joint Responsibilities

A. The City and County will share equal responsibility, including but not limited to:

- Funding the Plan;
- Selecting a consultant to prepare the Plan;
- Preparing the Plan;
- Marketing the Plan;
- Staffing public meetings;
- Adopting the Plan; and
- Implementing the Plan.

B. The City and County agree to participate in good faith and provide available in-house resources and pertinent information that is reasonably applicable to the study. The County and the City will provide a representative from their respective Planning staff to act as a point of contact with the consultant.

Section II – Municipal Responsibilities

A. The City shall oversee the procurement process for selecting a consultant to develop the Plan, in accordance with their policies and procedures, and with a County representative present in the selection process.

B. Through its Planning and Development Services Department, the City will be responsible for guiding the development of the Plan within the City's boundaries of the Project Area.

C. The City shall forward invoices to the County for review, and shall be ~~are~~ responsible for payment of invoices approved by the County and City per Section IV below.

Section III – County Responsibilities

A. The County shall have a representative from the Planning and Development Services Department actively participate on the selection committee for a consultant.

B. Through its Planning and Development Services Department, the County will be responsible for guiding the development of the Plan within the County's unincorporated jurisdiction of the Project Area.

C. The Planning and Development Services Department shall review all invoices provided to the City by the consultant to ensure agreement of the services rendered, in the interest of the County.

Section IV – Funding

A. The County shall contribute half, up to seventy-five thousand (\$75,000) dollars, towards a Plan for the Project Area. The City shall contribute half, up to seventy-five thousand (\$75,000) dollars, towards a Plan for the Project Area.

B. Within thirty (30) days of invoice by the City, the County shall transfer its contribution of \$75,000 to the City in its entirety once a consultant is selected and contractually engaged. The City shall deposit the funds, along with the City's contribution of \$75,000, in a special revenue fund, which ~~and~~ will be managed by the City. All distributions or adjustments made to the fund will require written approval from both the City and County representatives. The City will provide the County representative an annual accounting of all activity and audited fund balance within thirty (30) days of the completion of the annual audit. Once the project is completed and approved by both parties, or if the contract with the Consultant is terminated before completion of the Plan for any reason, the City will distribute any residual funds at 50% to the City and 50% to the County within thirty (30) days of project approval and completion or Consultant contract termination.

C. Costs for the plan shall be paid to the selected consultant, by the City upon written approval of invoices for payment by the City's point of contact. Approvals and/or denials shall be made within five (5) business days of receipt of the invoice. Invoices will be based upon the percentage of work completed.

D. Should the County not approve an invoice per Article I, Section III. C. (as the invoiced work relates to the County's jurisdiction within the Project Area), both parties will immediately work with the Consultant to satisfactorily remedy the invoice before payment. Should no remedy be achieved and the City proceeds with payment of the invoice, it will be at the City's expense and shall not be paid from the special revenue account dedicated to the Consultant contract.

Section V – Contracting

A. The City shall be solely responsible for contracting with the Consultant and the County shall have no contractual liabilities or responsibilities as to the Consultant, except as otherwise provided herein. However, the County shall review and provide written approval of the draft contract with the consultant to ensure the Project Area within the County's jurisdiction is properly represented before contract execution.

B. Should the City execute the agreement without County concurrence, the County shall be entitled to terminate this agreement and the County will not be required to make any payments as provided in this Agreement.

ARTICLE 2 – GENERAL

Section I – Severability

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

Section II – Successors and Assigns

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

Section III – Extension of Authority

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

Section IV – Termination by the County

The County shall be entitled to terminate this Agreement, and the County shall be released from any obligations under this agreement if: (1) the City fails to fulfill its responsibilities under Article I, Section II, above; or (2) the City fails to comply with the funding requirements, as referenced in Article I, Section IV; or (3) the City contracts without the County’s consent and approval, as referenced in Article I, Section V; or the County governing body acts to terminate this agreement with the City. Upon termination of the contract, obligation of the County to conduct the work described herein shall forthwith cease.

Section V – Termination by the City

The City shall be entitled to terminate this Agreement, and the City shall be released from any obligations under this agreement if: (1) the County fails to fulfill its responsibilities under Article I, Section III, above; or (2) the County fails to comply with the funding requirements, as referenced in Article I, Section IV; or the City governing body acts to terminate this agreement with the County. Upon termination of the contract, obligation of the City to conduct the work described herein shall forthwith cease.

Section VI – Insurance

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

Section VII – Duration

This Agreement shall go into effect on _____ and shall remain in effect until the Plan has been separately adopted by the City and County and adequately implemented, or until it is terminated by mutual agreement of the City and County or pursuant to Article II, Section IV and/or V, above.

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

WITNESSES:

COUNTY OF RICHLAND

By: _____
Tony McDonald
County Administrator

CITY OF COLUMBIA

By: _____
Stephen K. Benjamin
Mayor

Richland County Council Request of Action

Subject

Interstate Interchange Lighting Project [**PAGES 61 - 83**]

Reviews

Richland County Government

County Administration Building
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202



Phone: (803) 576-2050
Fax: (803) 576-2137
TDD: (803) 748-4999

Office of the County Administrator



MEMORANDUM

TO: County Council
FROM: Brandon Madden, Manager of Research
CC: Tony McDonald, County Administrator
Sara Salley, Grants Manager
Rob Perry, Transportation Director
DATE: March 20, 2015
RE: Interstate Interchange Lighting Project

This item was held in Committee at the January D&S Committee meeting. The Committee directed staff to explore potential grant (Federal and/or State) opportunities through the County's Grant Office and the County's Transportation Department to assist with funding the interstate interchange lighting projects.

Currently, there are no potential State funded grant opportunities identified through the County's Grant Office at this time that could be used to support this Project. The grants office will continue to research this item.

Currently, there are no potential funding options through the County's Transportation Department at this time that could be used to support this Project. However, please note that the Broad River Road at Exit 65 on I-20 is scheduled for an upgrade through the County's Transportation Penny Program at a future date.

At this time, Staff is requesting direction from Council regarding this item.

Item# 7



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

MEMORANDUM

TO: Richland County Council
CC: Tony McDonald, County Administrator
FROM: Brandon Madden, Research Manager
DATE: March 17, 2015
RE: Interstate Interchange Lighting Project

At the September 23, 2014 D&S Meeting, the Committee directed Staff to contact the Hospitality Association (Association) to recruit businesses that are willing to assist in funding the Two Notch Road at I-77 (Exit 17) & the Clemson Road at I-20 (Exit 80) Interstate Interchange Lighting Projects (Projects).

As directed by the Committee, Staff contacted the South Carolina Restaurant and Lodging Association (formerly known as the SC Hospitality Association). The Association has been circulating information regarding the Projects to their members to recruit businesses that are willing to assist in funding the Two Notch Road at I-77 (Exit 17) & the Clemson Road at I-20 (Exit 80) Projects since October 2014.

To date, none of the Association's members have expressed interest in assisting the County in funding the Projects.

At this time, Staff is requesting direction from Council regarding this item.

Richland County Government

County Administration Building
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202



Phone: (803) 576-2050
Fax: (803) 576-2137
TDD: (803) 748-4999

Office of the County Administrator



MEMORANDUM

TO: Richland County Council
CC: Sparty Hammett, Assistant County Administrator
FROM: Brandon Madden, Manager of Research
DATE: March 17, 2015
RE: Interstate Interchange Lighting Project

At the July 22, 2014 Development and Services Committee meeting, staff requested direction regarding the Interstate Interchange Lighting project (project). The Committee directed staff to determine the funding source, possibly through the Hospitality Tax Fund, for the project. Also, the Committee directed staff to identify two gateway interchanges that are not in the same District, excluding the Broad River Road at I-20 (Exit 65) interchange, and identify the amount, if any, that businesses located at the interchanges are interested in funding.

The two gateway interchanges identified by staff and their estimated construction and maintenance cost are as follows:

Estimated Cost For Two Gateway Interchanges

Interchange Location	Construction Cost	Maintenance Cost	District(s)
Two Notch Road at I-77 (Exit 17)	\$384,150	\$19,052*	3&7
Clemson Road at I-20 (Exit 80)	\$436,950	\$20,780*	9&10
Totals	\$821,100	\$39,832*	

**Annual recurring cost*

Item# 7

Staff identified two basic funding options as possible funding sources for the construction of the aforementioned gateway interchanges:

- County General Operating Funds
- Hospitality Tax Funds

Also, staff sent letters (see attached sample) to all businesses and property owners (see attached spreadsheet) that were located within a $\frac{3}{4}$ of a mile radius of the interchanges along Two Notch Road and Clemson Road to identify the amount, if any, they are interested in providing for the funding of this project.

At this time, none of the business or property owners contacted have provided a response. Staff will update Council as to any amount of funds the businesses and property owners contacted are able to provide to assist with the completion of this project.



August 27, 2014

[REDACTED]
Two Notch Rd.
Columbia, SC 29223

Re: Richland County Interstate Interchange Lighting Project

To Whom It May Concern:

Richland County Government is pursuing the installation of additional lighting at the Two Notch Road at I-77 (Exit 17) and Clemson Road at I-20 (Exit 80) interstate interchanges. The estimated cost for the additional lighting is outlined in the table below:

<u>Interchange Location</u>	<u>Construction Cost</u>
Two Notch Road at I-77 (Exit 17)	\$384,150
Clemson Road at I-20 (Exit 80)	\$436,950
Totals	\$821,100

There are a number of studies that suggest increased lighting can increase nighttime pedestrian traffic, resulting in economic development for the businesses and local communities surrounding the interstate interchanges. Additionally, increased lighting has been shown to contribute to reductions in nighttime crashes and crime. Increased safety, security and economic development are some of the reasons that we are pursuing this project.

Business and property owners located within a mile of the interchanges should directly benefit from the additional lighting. Businesses should experience an increase in nighttime traffic from travelers on the interstates and reductions in crime. As a result of the increased economic development, property owners should experience increases in the value of their property.

We are currently looking to establish partnerships with the businesses and property owners at the gateway interchanges to assist in pushing this project forward. At this time, we are exploring our

funding options. Once we reach the necessary funding level for this project, we will identify a timeline to install the additional lighting.

We are requesting that you consider assisting us with this effort as a partner by contributing matching funds to complete this project. Please let us know of the amount, if any, that you are willing to provide to partner with the county to improve our interstate interchanges by contacting our Research Manager, Brandon Madden at 803-576-2066.

Thank you for your time and consideration regarding this request.

Richland County Government

Richland County Government

County Administration Building
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202



Phone: (803) 576-2050
Fax: (803) 576-2137
TDD: (803) 748-4999

Office of the County Administrator

Business Name	Business Address	City	Zip
Good Image Hospitality, Inc.	7510 Two Notch Rd.	Columbia	29223
EMPLOYMENT SERVICES, Inc.	7500 Two Notch Rd.	Columbia	29223
R-Roof II, LLC	7580 Two Notch Rd.	Columbia	29223
WAFFLE HOUSE #127	7507 Two Notch Rd.	Columbia	29223
Lizards Thicket	7620 Two Notch Rd.	Columbia	29223
MARBLE & GRANITE DESIGN, Inc.	7624 Two Notch Rd.	Columbia	29223
HAVERTY'S FURNITURE COMPANY, Inc.	7515 Two Notch Rd.	Columbia	29223
CHARLES C. PIERCY	7626 Two Notch Rd.	Columbia	29223
Longhouse Properties I, LLC	7525 Two Notch Rd.	Columbia	29223
RUSSELL & JEFFCOAT REALTORS, Inc.	7601 Two Notch Rd.	Columbia	29201
OUTBACK STEAK HOUSE 4118	7611 Two Notch Rd.	Columbia	29223
Irmo Restaurants, LLC	7621 Two Notch Rd.	Columbia	29223
Hooters of East Columbia, LLC	7711 Two Notch Rd.	Columbia	29223
South Carolina Sunshine Hotel Group, LLC	7700 Two Notch Rd.	Columbia	29223
Home Depot USA, Inc.	7701 Two Notch Rd.	Columbia	29223
AIR NECESSITIES	7718 Two Notch Rd.	Columbia	29223
BRG BEVERAGES II, LLC	7715 Two Notch Rd.	Columbia	29223
ALAIMO & ALAIMO, Inc.	7719 Two Notch Rd.	Columbia	29223
YOUNG'S TRUE VALUE HARDWARE, Inc.	7734 Two Notch Rd.	Columbia	29223
P & R MANAGEMENT, LLC	8104 Two Notch Rd.	Columbia	29223
Krina Interiors, Inc.	8102 Two Notch Rd.	Columbia	29223
M.D. VENTURES, Inc.	8110 Two Notch Rd.	Columbia	29229

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Sejwad VI LLC	8105 Two Notch Rd.	Columbia	29223
THE PANTRY, Inc. #3215	8200 Two Notch Rd.	Columbia	29223
T R VENTURES OF SC, LLC	8304 Two Notch Rd.	Columbia	29223
Intown Suites Two Notch, LLC	8310 Two Notch Rd.	Columbia	29223
WAFFLE HOUSE #643	8208 Two Notch Rd.	Columbia	29223
CAROLINA CONVENIENCE CORPORATION	8404 Two Notch Rd.	Columbia	29223
Trefz & Trefz, Inc.	8305 Two Notch Rd.	Columbia	29223
U-HAUL COMPANY OF SOUTH CAROLINA, Inc.	8400 Two Notch Rd.	Columbia	29223
GREGG ANIMAL HOSPITAL PC	8309 Two Notch Rd.	Columbia	29223
A-1 DRIVER TRAINING SCHOOL	8502 Two Notch Rd.	Columbia	29223
Anita Harwell	8502 Two Notch Rd.	Columbia	29223
Bonnie Stanley	8502 Two Notch Rd.	Columbia	29203
Brenda Tarte	8502-I Two Notch Rd.	Columbia	29223
Capital Gold & Silver	8502-A Two Notch Rd.	Columbia	29223
CAROLINA GOLD AND SILVER, Inc.	8502 Two Notch Rd.	Columbia	29206
CYNTHIA HAYNES	8502 Two Notch Rd.	Columbia	29223
JEANNIE CHAFIN	8502 Two Notch Rd.	Columbia	29223
JESLYN C MILES	8502I Two Notch Rd.	Columbia	29223
Lady and Lilly Enterprises, Inc.	8502 Two Notch Rd.	Columbia	29223
R&R GOLD, Inc.	8502 Two Notch Rd.	Columbia	29223
SALON ZAZOU	8502 Two Notch Rd.	Columbia	29223
SOCCER PLUS OF Columbia, LLC	8502 Two Notch Rd.	Columbia	29223
Sue Fuentes	8502 Two Notch Rd.	Columbia	29223
The German Meat Market	8502 Two Notch Rd.	Columbia	29223
Tiffany's Bakery & Eatery	8502 Two Notch Rd.	Columbia	29223
WILLIAM NEDZEL	8502 Two Notch Rd.	Columbia	29223
THE LITE HOUSE N.E., Inc.	8401 Two Notch Rd.	Columbia	29223
MATTRESS SOURCE	8504 Two Notch Rd.	Columbia	29223
Brandi, Inc.	8501 Two Notch Rd.	Columbia	29223
BOWLING SOLUTIONS- Columbia	8512 Two Notch Rd.	Columbia	29223

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ROYAL Z PUBS, Inc.	8512 Two Notch Rd.	Columbia	29223
Ten Z SC Bowling, Inc.	8512 Two Notch Rd.	Columbia	29223
DAN JOO HARRIS	8710 Two Notch Rd.	Columbia	29223
Columbia APPLIANCE & SERVICE CO. ,Inc.	8708 Two Notch Rd.	Columbia	29223
Master's Touch Barber Shop	8712-B Two Notch Rd.	Columbia	29223
TOUMA, LLC	8712 Two Notch Rd.	Columbia	29223
J & R ENTERPRISES ,Inc.	8716 Two Notch Rd.	Columbia	29223
L & P DESIGNS	8724 Two Notch Rd.	Columbia	29223
Pandora's Lounge	8605 Two Notch Rd.	Columbia	29223
SK Sparkle, LLC	8601 Two Notch Rd.	Columbia	29223
A Fechter Antiques	8808 Two Notch Rd.	Columbia	29223
AAAA CARPETS ,Inc.	8701 Two Notch Rd. Unit 5	Columbia	29223
Studio 1 on 1	8820 Two Notch Rd.	Columbia	29223
Ursula B. Toliver	8820 Two Notch Rd.	Columbia	29209
PAMPERED PLANTS FLORIST	8816 Two Notch Rd.	Columbia	29223
HILLCREST EXTERMINATING	8705 Two Notch Rd.	Columbia	29223
SUPERIOR HOME CENTER & BUILDERS SUPPLY, Inc.	8805 Two Notch Rd.	Columbia	29223
Bre's Salon & Day Spa	8807 Two Notch Rd.	Columbia	29223
Carolyn Mendelssohn	8807 Two Notch Rd.	Columbia	29223
Complete Health Diagnostics	8807 Two Notch Rd.	Columbia	29223
DANDYLEE, LLC	8807F Two Notch Rd.	Columbia	29223
Lester D. Park	8807 Two Notch Rd.	Columbia	29223
MULTI MORTGAGE SERVICES ,Inc.	8807 Two Notch Rd.	Columbia	29223
Peoples Choice Insurance & Financial Services	8807 Two Notch Rd.	Columbia	29223
Tradesman International,Inc.	8807 Two Notch Rd.	Columbia	29223
DK FOOD & FUEL, LLC	8901 Two Notch Rd.	Columbia	29223
ROBERT H. ELLIS JR	8905 Two Notch Rd.	Columbia	29223
W NETTLES GREEN, DMD, MS	8905 Two Notch Rd.	Columbia	29223
BEVERLY NAILS	8907 Two Notch Rd.	Columbia	29223
C I B C PRO TAX SERVICE	8907B Two Notch Rd.	Columbia	29223

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Lotus Therapy	8907 Two Notch Rd.	Columbia	29223
M.B African Braids & Weaves	8907-B Two Notch Rd.	Columbia	29223
New Lotus Therapy	8907 Two Notch Rd.	Columbia	29223
QC FINANCIAL SERVICES, Inc.	8907 Two Notch Rd.	Columbia	29223
Rainbow Cleaner LaunDry Alterations	8907D Two Notch Rd.	Columbia	29223
THE SHERWIN WILLIAMS CO., #2166	8907 Two Notch Rd.	Columbia	29204
NEW LIFE FITNESS WORLD OF SOUTH CAROLINA NE, Inc.	8911 Two Notch Rd.	Columbia	29223
Palmetto Investment Group, Inc.	1011 Clemson Rd.	Columbia	29223
CIRCLE K STORES, Inc.	90 Clemson Rd.	Columbia	29229
J-RAY, Inc.	100 Clemson Rd.	Columbia	29223
BSRO	106 Clemson Rd.	Columbia	29229
PETROLEUM DEVELOPERS , Inc.	107 Clemson Rd.	Columbia	29229
PIGGIE PARK ENTERPRISES, Inc.	107 Clemson Rd.	Columbia	29229
FRANK'S EXPRESS CAR WASH OF NE	120 Clemson Rd.	Columbia	29229
Minute Clinic LLC #20423	121 Clemson Rd.	Columbia	29229
SOUTH CAROLINA CVS PHARMACY, LLC	121 Clemson Rd.	Columbia	29229
Circle H Builders	840 Sparkleberry Ln.	Columbia	29229
GATEWAY SUPPLY CO., Inc.	1110 Sparkleberry Ln.	Columbia	29229
M C Detailing	840 Sparkleberry Ln.	Columbia	29229
Caffe Ventures Northeast	841 Sparkleberry Ln.	Columbia	29229
CTDI, Inc.	841 Sparkleberry Ln.	Columbia	29229
EXPRESS	1061 Sparkleberry Ln.	Columbia	29229
Aesthetic Smile Studio Northeast	120 Sparkleberry Crossing	Columbia	29229
Anchor Deep Tattoo Company, LLC	120 Sparkleberry Crossing	Columbia	29229
Joseph Reed	120 Sparkleberry Crossing	Columbia	29229
KZ Centers, LLC	120 Sparkleberry Crossing	Columbia	29229
Nail Studio	120 Sparkleberry Crossing	Columbia	29229
Taniesha Brackett	120 Sparkleberry Crossing	Columbia	29229
Columbia Southern University, Inc.	121 Sparkleberry Crossing	Columbia	29229
SUMO JAPANESE STEAK HOUSE, Inc.	151 Clemson Rd.	Columbia	29229

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PLANTATION STORAGE	810 Sparkleberry Ln.	Columbia	29229
Salon Ventures at Sparkleberry, LLC	101 Sparkleberry Crossing	Columbia	29229
Sparkleberry Crossing Subway, Inc.	101 Sparkleberry Crossing	Columbia	29229
THE TOBACCO MERCHANT	101 Sparkleberry Rd.	Columbia	29229
The Tobacco Merchant ,Inc.	101 Sparkleberry Crossing	Columbia	29229
TRAVINIA ITALIAN KITCHEN AT Columbia, Inc.	101 Sparkleberry Crossing	Columbia	29229
ED ROBINSON LAUNDRY	800 Sparkleberry Ln.	Columbia	29229
7 Grill & Bar, LLC	111 Sparkleberry Crossing	Columbia	29229
Cavalleri Consulting, LLC	111 Sparkleberry Crossing	Columbia	29229
China Garden	111 Sparkleberry Crossing	Columbia	29229
DESERT SUN, LLC	111 Sparkleberry Crossing	Columbia	29229
Lake Vista Deli, LLC	111 Sparkleberry Crossing	Columbia	29229
MIRAGE ENTERPRISES, LLC	111 Sparkleberry Crossing	Columbia	29229
NAN'S NOTES, LLC	111 Sparkleberry Crossing	Columbia	29229
Tokyo Grill	111 Sparkleberry Crossing	Columbia	29229
Tokyo King, LLC	111 Sparkleberry Crossing	Columbia	29229
San Jose Restaurant, Inc.	801 Sparkleberry Ln.	Columbia	29223
Masterpiece Properties, LLC	704 Sparkleberry Ln.	Columbia	29229

Richland County Council Request of Action

Subject: Interstate Interchange Lighting Project

A. Purpose

County Council is requested to provide direction to staff regarding the Interstate Interchange Lighting project.

B. Background / Discussion

At the December 4, 2012 Council meeting, Council directed staff to engage a consultant to perform site review, placement, and types of lighting for the interstate interchanges in the County.

DRMP, Inc. (DRMP) was the engineering firm selected to provide the Interstate Interchange Lighting (IIL) report. DRMP prioritized nine (9) interchanges in the unincorporated areas of the County and developed lighting construction and maintenance cost estimates for each interchange. The 9 interchanges and their priority ranking are as follows:

<u>Interchange Location</u>	<u>Ranking</u>
Broad River Road at I-20 (Exit 65)	1
Two Notch Road at I-20 (Exit 74)	2
Two Notch Road at I-77 (Exit 17)	3
Clemson Road at I-20 (Exit 80)	4
Farrow Road at I-77 (Exit 19)	5
Spears Creek Road at I-20 (Exit 82)	6
Killian Road at I-77 (Exit 22)	7
Decker Boulevard at I-77 (Exit 13)	8
Broad River Road at I-26 (Exit 97)	9

Maps of these interchanges are attached for your convenience.

The interchange rankings were based on the weighted combined average of the weekday and weekend daily trips generated by the retail/commercial developments (such as hotels, restaurants, gas stations, shopping centers etc.) located at each of the interchanges.

The total estimated cost for constructing a conventional lighting system and the probable annual maintenance cost for the 9 interchanges is \$3,568,100 and \$174,520, respectively. More information is provided in the “Financial Impact” section.

Staff requests direction from Council regarding the IIL project.

C. Legislative / Chronological History

- At the D&S Committee on April 24, 2012, direction was given to Public Works to start researching interstate interchange lighting.
- At the May 22, 2012 D&S Committee, a presentation was given to Council by the

Hospitality Association about interstate lighting.

- June 26, 2012 – D&S Committee met and discussed interchange lighting.
- A memo was forwarded to the D&S Committee outlining estimated costs and types of lighting used for interstate interchanges on July 17, 2012 (attached).
- September 25, 2012 – Presentation by Rick Patel to the D&S Committee. Committee requested additional information (location, funding, and how other municipalities are paying for similar projects.)
- November 27, 2012 – D&S Committee recommended that Council engage a consultant to perform site review, placement, and types of lighting. An RFP / RFQ will be developed and advertised, and the recommendation for award will be brought back to Council for review and recommendation.
- December 4, 2012 – Council approved the D&S Committee’s recommendation.

D. Financial Impact

The potential financial impact is dependent upon Council’s decision regarding this project. However, the cost estimates provided in the report reflect the potential costs for constructing high mast lightning or conventional lighting systems at each of the interstate intersections, and the potential annual maintenance costs. Based on the construction and maintenance costs, DRMP recommended a conventional lighting system for all of the identified interchanges.

DRMP’s report provides a detailed breakdown of the probable construction and annual maintenance cost for each individual interchange. The total estimated cost for constructing a conventional lighting system and the probable annual maintenance cost for the 9 interchanges is \$3,568,100 and \$174,520, respectively.

Interchange Location	Construction Cost*	Maintenance Cost*
Broad River Road at I-20 (Exit 65)	\$419,350	\$20,204
Two Notch Road at I-20 (Exit 74)	\$364,375	\$17,612
Two Notch Road at I-77 (Exit 17)	\$384,150	\$19,052
Clemson Road at I-20 (Exit 80)	\$436,950	\$20,780
Farrow Road at I-77 (Exit 19)	\$431,750	\$19,052
Spears Creek Road at I-20 (Exit 82)	\$390,950	\$19,052
Killian Road at I-77 (Exit 22)	\$467,675	\$22,220
Decker Boulevard at I-77 (Exit 13)	\$246,275	\$15,480
Broad River Road at I-26 (Exit 97)	\$426,625	\$21,068
Totals	\$3,568,100	\$174,520

**Estimates*

If Council chooses to proceed with the IIL project, a funding source will need to be identified.

E. Alternatives

1. Direct staff to proceed with the Interstate Interchange Lightning project, and provide direction as to which interchanges receive priority.
2. Do not proceed with the Interstate Interchange Lightning project.

F. Recommendation

It is recommended that Council proceed with the IIL project, and provide direction to staff regarding which interchanges receive priority. If Council proceeds with the IIL project, a funding source should be identified.

Recommended by: Ismail Ozbek, Interim Director

Department: Public Works

Date: July 3, 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: 7/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 7/16/14

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Sparty Hammett

Date: 7/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Council approval to direct staff to proceed with the Interstate Interchange Lightning project, and provide direction as to which interchanges receive priority. A funding source will also need to be identified.



RICHLAND COUNTY
Department of Public Works
C. Laney Talbert Center
400 Powell Road
Columbia, South Carolina 29203
Voice: (803) 576-2400 Facsimile (803) 576-2499
<http://www.richlandonline.com/departments/publicworks/index.asp>



MEMO

To: D&S Committee
Cc: Assistant Administrator Sparty Hammett
From: David Hoops, Director
Date: July 17, 2012
Re: Interstate Intersection Lighting

Update on Interstate Intersection Lighting:

1. At the June 26, 2012 D&S Committee meeting there appeared to be some confusion about the lighting proposed for interstate intersections. Following are descriptions and typical costs of lighting options with attached pictures. I have reviewed the Broad River Road proposal which is for leasing of light fixtures installed on existing power poles. This approach cannot be utilized on an Interstate interchange and cannot be compared for costs.
 - a. **Low Mount lights.** These are typically along low speed roadways. Due to the low mounting height the area illuminated is small, requiring the poles to be located close to the edge of the roadway. This close mounting location results in the need to protect the poles and vehicles from impact with curbing or guardrail. Due to the need for protection and the small area illuminated this style of light is not normally used along high speed roadways.

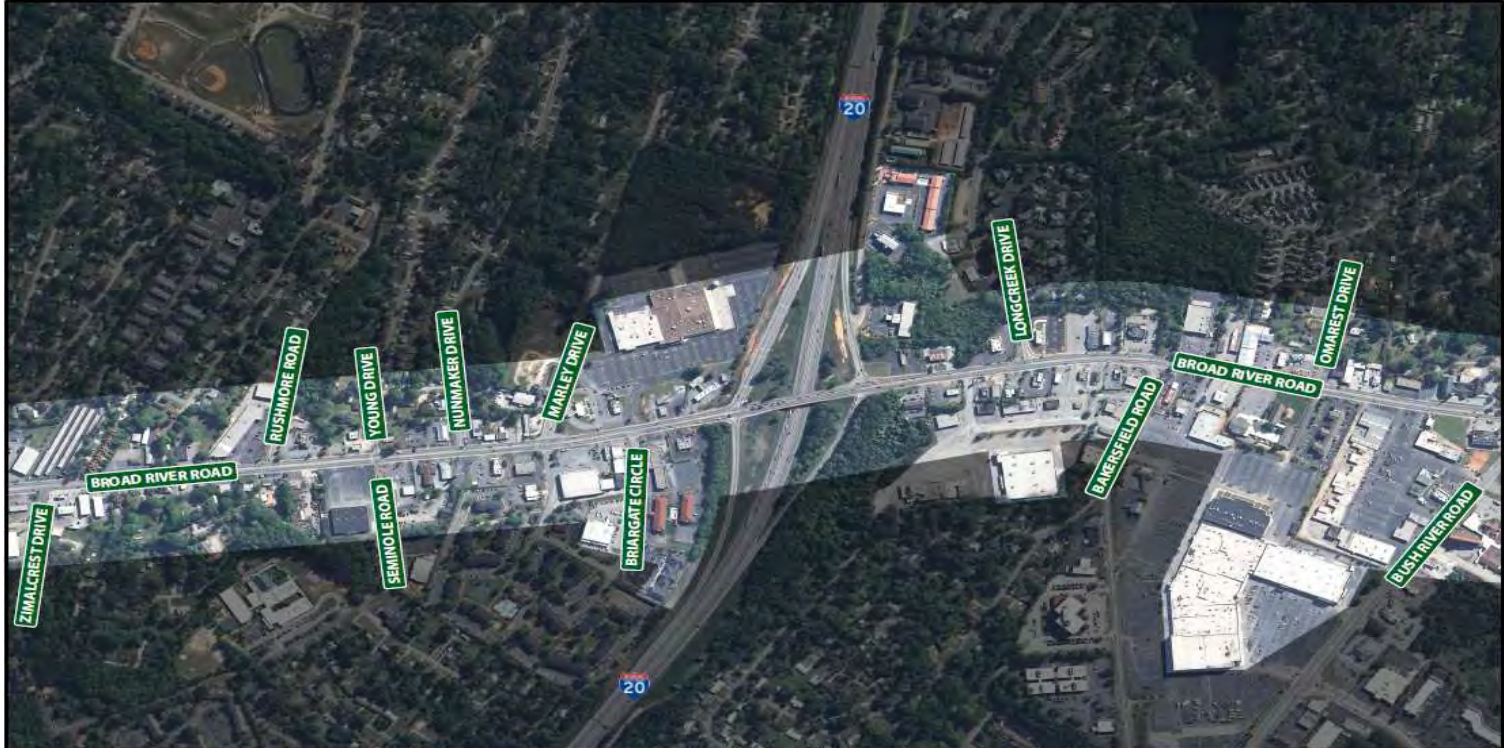


- b. **Mast Pole lights** (high mount) These lights are very efficient at lighting large areas, such as intersections. Due to the large area illuminated they can be located away from the edge of roadways, not needing to be protected from impact. Although considerably more expensive per unit, it may take 10-15 low mount fixtures to illuminate the area covered by a mast pole.

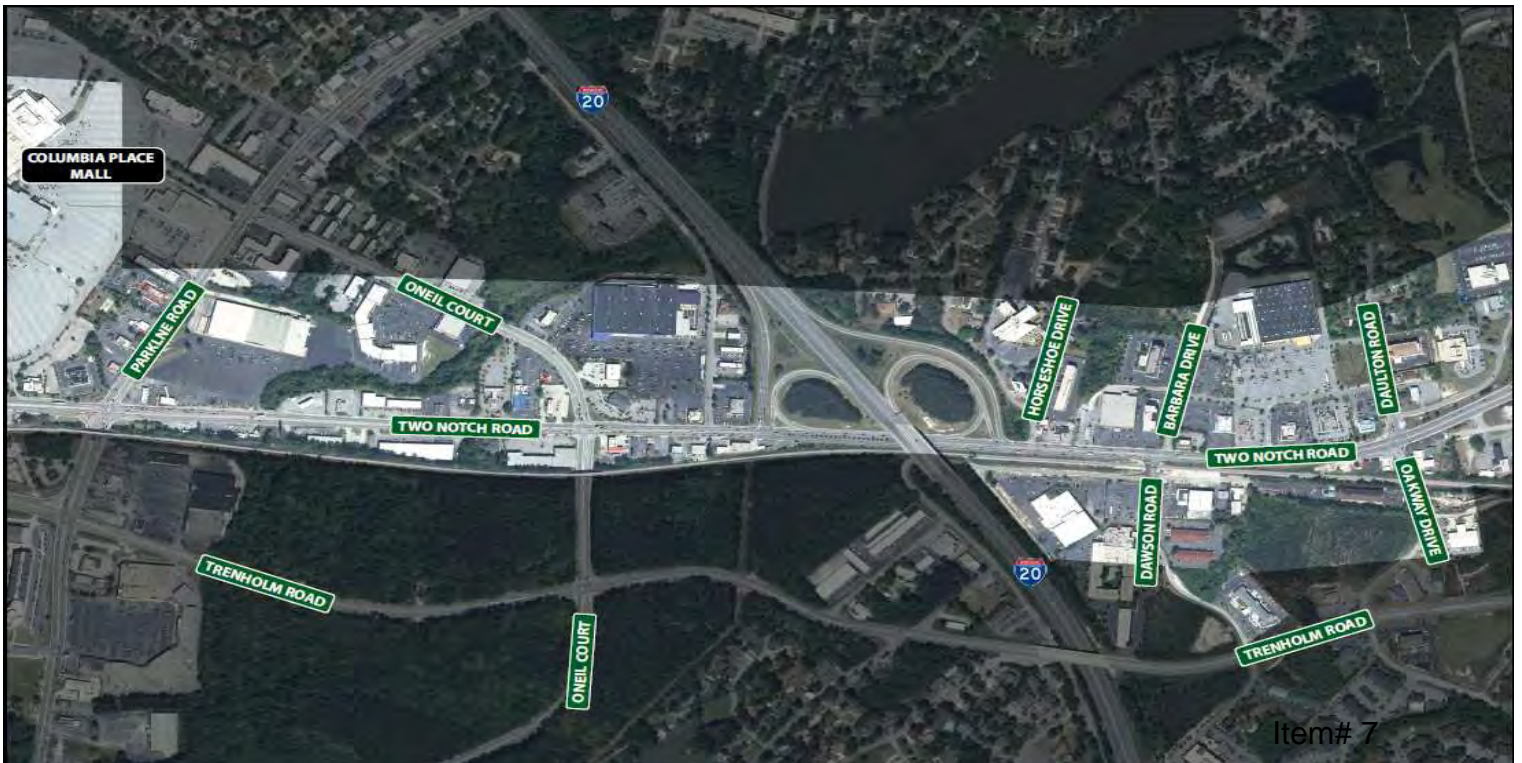


2. Installation costs.
- i. Low Mount lights. These installations typically cost **\$2,500 per unit**. The additional cost of providing power and traffic protection are site specific and cannot be determined at this time. The provision of power will be higher than for a mast unit due to the multiple locations. As noted above, many more fixtures are required to equal the coverage of one Mast Pole light.
 - ii. Mast Pole lights. These installations typically cost **\$100,000 per unit**. The additional cost of providing power is site specific and cannot be determined at this time.
3. Maintenance and power costs. SCDOT was contacted regarding their support of these costs after installation. At the time of the preparation of this report we had not received a response.

Broad River Road at I-20 (Exit 65)

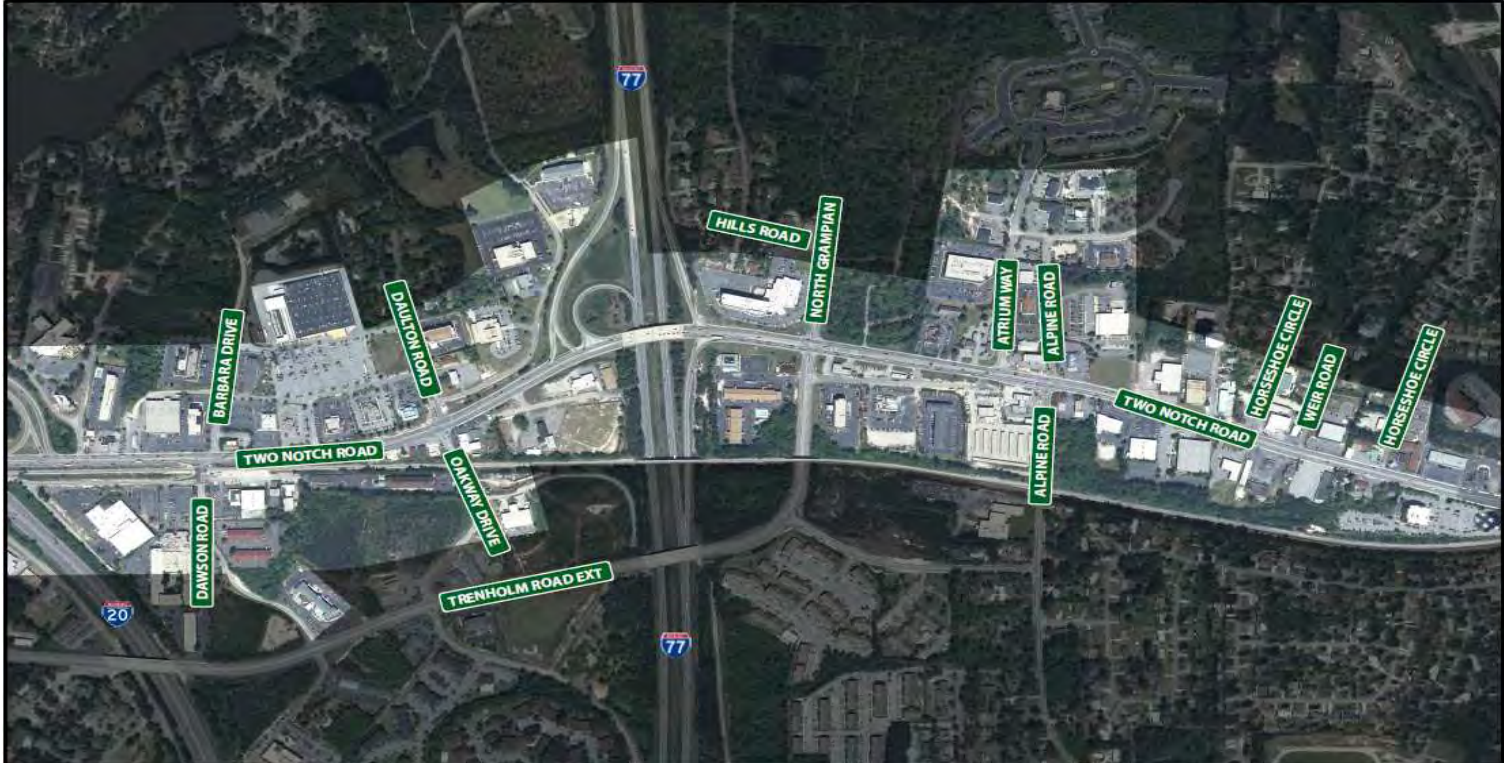


Two Notch Road at I-20 (Exit 74)

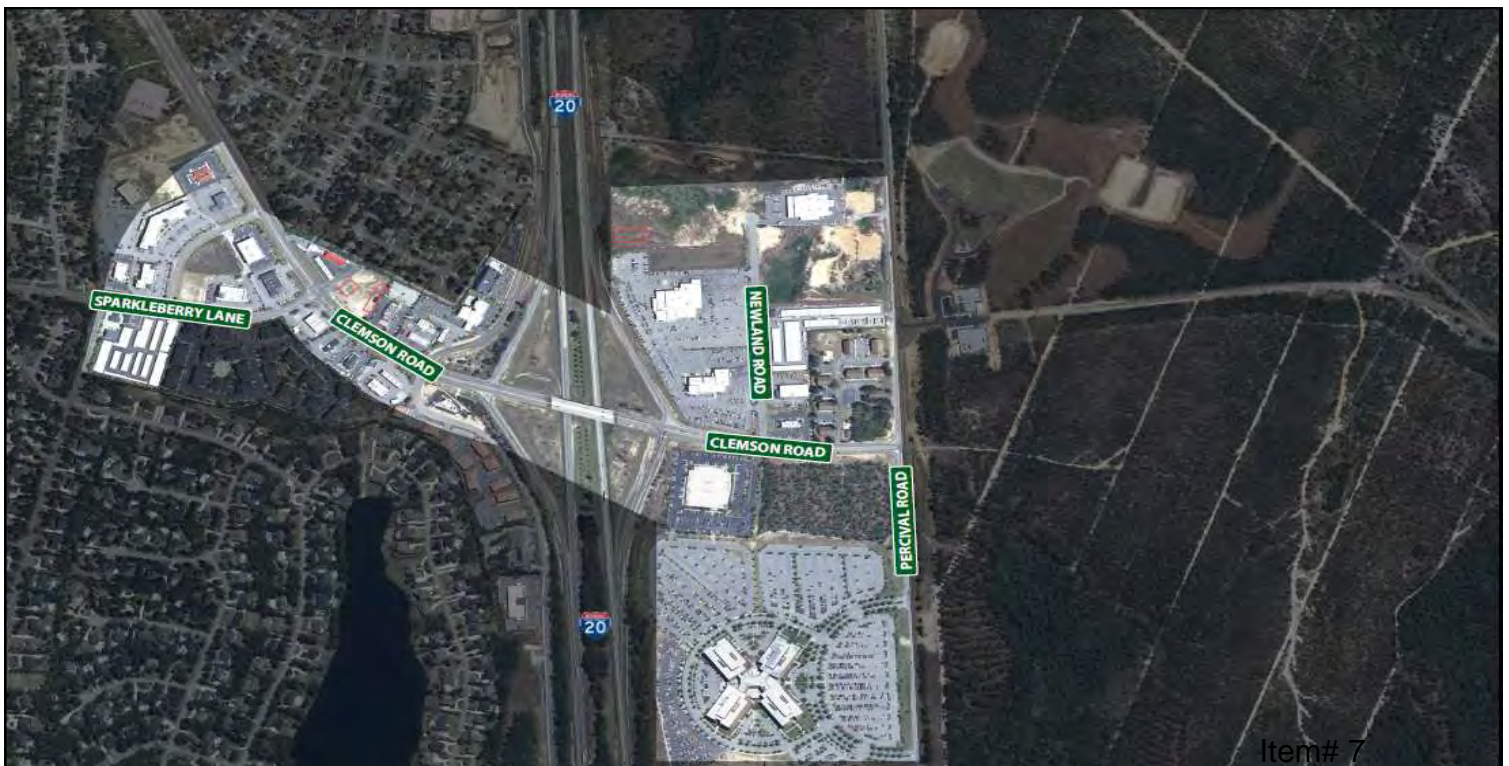


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Two Notch Road at I-77 (Exit 17)



Clemson Road at I-20 (Exit 80)



Item# 7

Farrow Road at I-77 (Exit 19)



Spears Creek Road at I-20 (Exit 82)

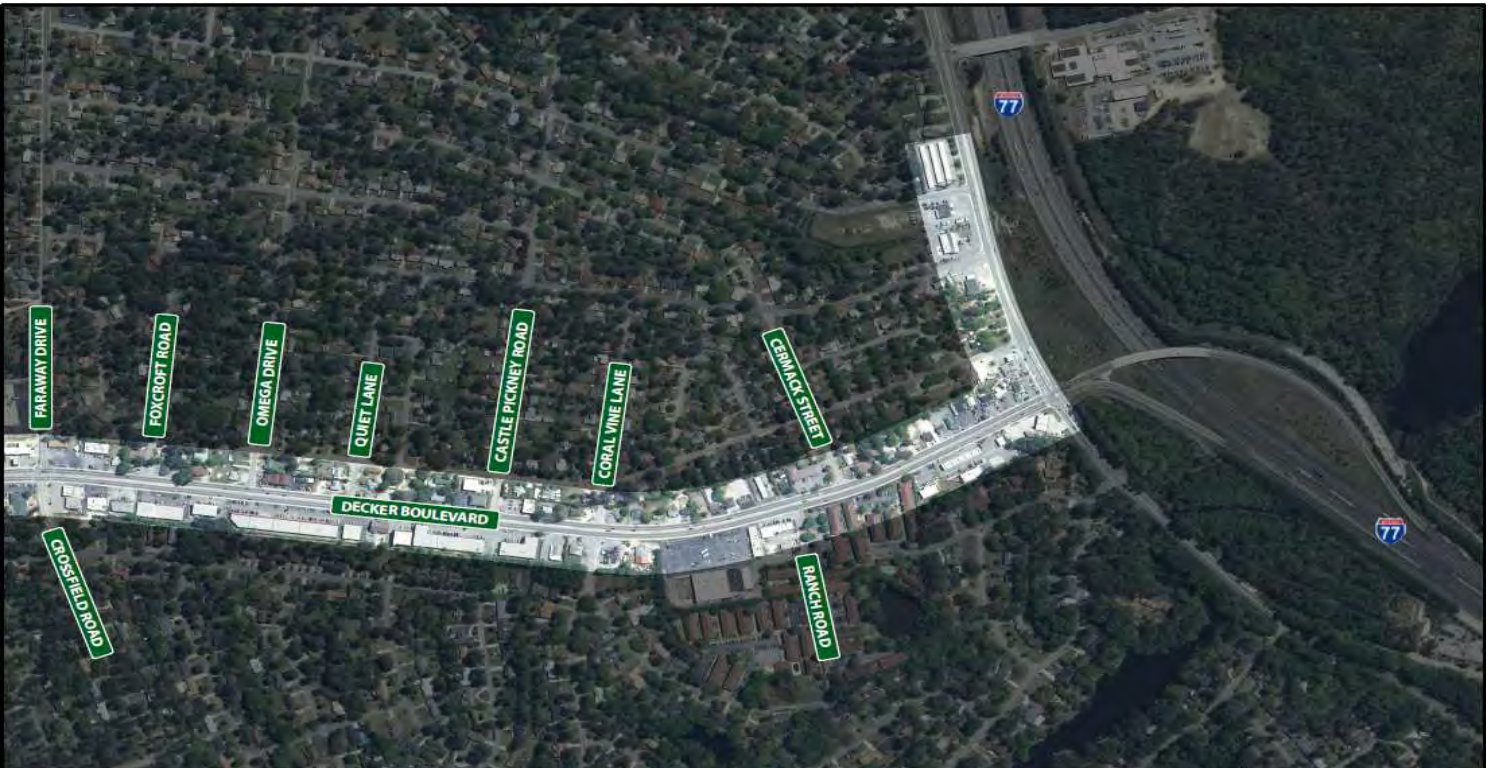


Item# 7

Killian Road at I-77 (Exit 22)



Decker Boulevard at I-77 (Exit 13)



Item# 7

Broad River Road at I-26 (Exit 97)



Item# 7

Items Pending Analysis

Subject

Noise Ordinance [**PAGE 84**]

Reviews

Notes

This item is being reviewed by the Ordinance Review Ad Hoc Committee. Once their review is complete, their recommendation regarding this item will be forwarded to the D&S Committee for their consideration.

Items Pending Analysis

Subject

Comprehensive Youth Program [**PAGE 85**]

Reviews

Notes

This item was held in Committee at the December D&S Committee meeting. The Committee directed Staff and the Clerk's Office to develop a plan of action for developing a comprehensive youth program for Richland County. Staff and the Clerk's Office are working in conjunction with the Sheriff's Department, Magistrate's Office, Solicitor's Office and the Alvin S. Glenn Detention Center to develop a plan of action regarding a comprehensive youth program. Once completed, Staff and the Clerk's Office will report this information back to the Committee for their review and action.

Items Pending Analysis

Subject

Fund and/or seek a partnership with SCE&G to plant indigenous flowers and plants along transmission line corridors in Richland County [**PAGE 86**]

Reviews

Notes

At the February Committee meeting, the Committee directed staff to explore potential partnership opportunities with the Electricity Companies, explore potential grant funding opportunities, perform a cost analysis and identify the manner in which this request may impact farmers that traverse through transmission line corridors. Staff is working to complete the Committee's directives regarding this item. Staff will report this information back to the Committee for their consideration at a future Committee meeting.