

# **RICHLAND COUNTY**

## **ADMINISTRATION & FINANCE COMMITTEE AGENDA**



**TUESDAY, NOVEMBER 16, 2017**

**6:00 P.M.**

**COUNCIL CHAMBERS**

**2020 HAMPTON ST. COLUMBIA,  
SC 29204**

# RICHLAND COUNTY COUNCIL 2017-2018



**VICE CHAIR**  
Bill Malinowski  
District 1



**CHAIR**  
Joyce Dickerson  
District 2



Yvonne McBride  
District 3



Paul Livingston  
District 4



Seth Rose  
District 5



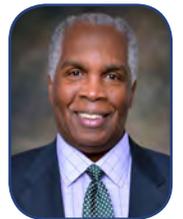
Greg Pearce  
District 6



Gwendolyn Kennedy  
District 7



Jim Manning  
District 8



Calvin "Chip" Jackson  
District 9



Dalhi Myers  
District 10



Norman Jackson  
District 11



**Richland County Administration & Finance Committee**  
 November 16, 2017 – 6:00 PM  
 Council Chambers  
 2020 Hampton Street  
 Columbia, SC 29204

Bill Malinowski	Paul Livingston	Greg Pearce (Chair)	Jim Manning	Norman Jackson
District 1	District 4	District 6	District 8	District 11

1. **CALL TO ORDER**

The Honorable Greg Pearce, Chair,  
Administration & Finance Committee

2. **APPROVAL OF MINUTES**

- a. Administration & Finance Committee Meeting: October 24, 2017  
[PAGES 6-8] The Honorable Greg Pearce

3. **ADOPTION OF AGENDA**

The Honorable Greg Pearce

4. **ITEMS FOR ACTION**

The Honorable Greg Pearce

- a. Award of Rivers Station Subdivision Road Repair and Paving project  
[PAGES 9-17]
- b. Request of Board of Voter Registration and Elections: Repeal of Ordinance Section 1-16 of Chapter 1, General Provisions of the Richland County Code of Ordinances [PAGES 18-19]
- c. Extension of Waverly Magistrate Lease [PAGES 20-23]
- d. Direct staff, in conjunction with the legal department, to determine how a service fee can be imposed on property that is not taxed in Richland County. The purpose is that even though certain properties are exempt from taxes, they still receive all amenities provided by Richland County that others must pay for in addition to property taxes [Malinowski and N. Jackson] [PAGES 24-25]
- e. A Resolution in support of the issuance of JEDA Bonds in the aggregate principal amount of \$1,500,000,000 and authorizing a pledge of revenues of SC Health Company in connection herewith [PAGES 26-32]

5. **ITEMS PENDING ANALYSIS – [PAGES 33-34]**

- a. Council Motion: The City of Columbia announced that they will be targeting Hospitality Tax businesses in the unincorporated area for annexation to take HTax funds. The City receives more than \$10 million annually while the unincorporated area receives over \$5 million annually.

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Note: Pursuant to Council Rules, Council will record non-electronic roll call voting for all votes that are not unanimous for second and third reading or one time votes; and which are not merely procedural in nature.

The County spends more than half its funds in the City while the City spends its funds in the City only. I move unless the City develops an IGA or MOU with the County not to take target and take the County HTax funds that Richland County then there should some discussion to reevaluate collection of the HTax funds [N. Jackson & Malinowski]

- b. Council Motion: Explore funding Eco Tourism with funds from Mitigation Bank Credits and Economic Development [N. Jackson]
- c. Council Motion: Explore additional options on supplemental insurance for employees. Note: There are new products available. Staff should talk to existing and additional agencies to provide better or additional options for employees [N. Jackson]
- d. Council Motion: Move that the Recreation Commission provide an update of the Recreation Bond to ensure that it was executed as council approved and that any funds remaining after all items are completed it is Richland County Council's decision on how it is spent [N. Jackson]
- e. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statue. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. Note: This is a partial solution to the constant challenge for taxation and representation [N. Jackson]
- f. Council Motion: Revisit the 2002 Richland County Water Plan, and any updates, for providing water to unincorporated areas of Richland County and in conjunction with the future Lower Richland Sewer Project [Malinowski and Myers]

6. **ADJOURN**



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



## Richland County Council

### ADMINISTRATION AND FINANCE COMMITTEE

October 24, 2017 – 6:00 PM

Decker Center

2500 Decker Boulevard, Columbia, SC 29206

COMMITTEE MEMBERS PRESENT: Greg Pearce, Chair; Bill Malinowski, Paul Livingston, and Norman Jackson

OTHERS PRESENT: Joyce Dickerson, Dalhi Myers, Gwen Kennedy, Brandon Madden, Michelle Onley, Sandra Yudice, Stacey Hamm, Larry Smith, Jennifer Wladischkin, Shane Kitchens, Tracy Hegler, Ismail Ozbek, Dwight Hanna, Will Simon, and Kimberly Williams-Roberts

1. **CALL TO ORDER** – Mr. Pearce called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
  - a. September 26, 2017 – Mr. N. Jackson moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Mr. Malinowski moved, seconded by Mr. N. Jackson, to adopt the agenda as published. The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
  - a. Contract award for the Motorola 800 Megahertz Mototrbo System for Alvin S. Glenn Detention Center – Mr. Pearce stated this item is a contract award for the Motorola 800 Megahertz system for the Alvin S. Glenn Detention Center. The Detention Center is having communication difficulties within the system. The system would approve that and permit them to communicate. It was properly bid out and they are requesting the lowest responsive bid to be approved.

Mr. Malinowski inquired as to why this particular system was selected.

Mr. Kitchens stated in March he contacted a couple of vendors to inquire about a remedy for problems at the Detention Center. This was the proposal put in place for what the Detention Center was looking for.

Mr. Malinowski inquired since technology changes so rapidly, has any thought been given to leasing the equipment.

Mr. Kitchens stated the vendor did not discuss a leasing option, but that can be looked at if needed.

Mr. Malinowski inquired about the anticipated lifespan of this system.

Mr. Kitchens stated Communication Specialists indicated it would be 7-10 years.

Mr. Malinowski moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the request to award the Motorola 800 Megahertz Mototrbo System to Communication Specialists Inc. in the amount of \$217,442.88.

Mr. Pearce inquired if this is a similar system to what the Sheriff's Department uses.

Mr. Kitchens stated the Sheriff's Department is on the Palmetto 800 Megahertz system. Whereas the Detention Center's 800 Megahertz system is for internal facility use only.

Mr. Pearce stated at one time the County did look at leasing similar equipment opposed to purchasing and it was cheaper to purchase than lease.

The vote in favor was unanimous.

- b. Award of Rivers Station Subdivision Road Repair and Paving project – Ms. Hegler stated this was brought to Council in June. An agreement was authorized with the developer. The developer had come to the County for assistance in fixing roads that were overdue for completion. The County proceeded in good faith to solicit bids, which is what is before you tonight. Unfortunately, in talking with the developer today he was not willing to sign the contract proposed to him.

Ms. Hegler further stated what was presented to Council in June was a request that a clause added for final accounting of the costs for repairs. There was a dollar amount and a repayment plan in the original contract. The developer was aware of that and the County had been communication with him since the agreement was authorized. The developer indicated he could find lower bids and potentially do this on his own.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to defer this item and request Public Works to include these roads in the group of roads where the developers have walked away.

Mr. Ozbek stated he has no problem with including the roads as long as the funding is also available.

Mr. Malinowski chose to delete the portion of the motion regarding Public Works accepting the roads for completion.

The vote in favor was unanimous.

- c. Council Motion: Move that the Recreation Commission provide an update of the Recreation Bond to ensure that it was executed as council approved and that any funds remaining after all items are completed it is Richland County Council's decision on how it is spent [N. JACKSON] – Mr. N. Jackson moved, seconded by Mr. Malinowski, to request the Council's Recreation Commission liaisons to meet with the Recreation Commission and bring back recommendations to the committee.

Mr. Malinowski requested bond counsel and the County attorney to provide a legal opinion on what the funds can be spent on.

The vote in favor was unanimous.

- d. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. NOTE: This is a partial solution to the constant challenge for taxation and representation [N. JACKSON] – Mr. N. Jackson moved, seconded by Mr. Malinowski,

Administration and Finance

October 24, 2017

-2-

to hold in community until Council's liaisons meet with the Recreation Commission. The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS**

- a. Council Motion: The City of Columbia announced that they will be targeting Hospitality Tax businesses in the unincorporated area for annexation to take HTax funds. The City receives more than \$10 million annually while the unincorporated area receives over \$5 million annually. The County spends more than half its funds in the City while the City spends its funds in the City only. I move unless the City develops an IGA or MOU with the County not to take target and take the County HTax funds that Richland County then there should be some discussion to reevaluate collection of the HTax funds [N. JACKSON & MALINOWSKI] – No action was taken. Awaiting additional information to move forward.

Mr. Jackson stated there was a newspaper article regarding the City annexing areas which prompted him to make this motion. He also stated he had requested a joint meeting of City Council and County Council to discuss our differences to try to come to some agreement on how to move forward.

- b. Council Motion: Explore funding Eco Tourism with funds from Mitigation Bank Credits and Economic Development [N. JACKSON] – No action was taken.

Mr. Jackson stated the County has acquired land and are trying find a way to utilize it as some form of Eco-tourism system.

- c. Council Motion: Explore additional options on supplemental insurance for employees. NOTE: There are new products available. Staff should talk to existing and additional agencies to provide better or additional options for employees. [N. JACKSON] – No action was taken.

Mr. Malinowski stated there was a comparison of insurance options for local government dated May 17<sup>th</sup> that should be taken into consideration for this item.

- d. Move that (1) HR determine how many pre-Medicare retirees on medical disability are currently being insured by the County; and of this number, how many are having to pay the full increase in premiums for spouse and/or dependent insurance coverage. (2) Based on the number of individuals in this category, what would the cost be for the County to provide them the same financial assistance as being provided to full time employees via recent County Council action [PEARCE] – Mr. Pearce withdrew this motion.

6. **ADJOURNMENT** – The meeting adjourned at approximately 6:19 PM.



# RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

## Administration and Finance Committee

November 16, 2017

### Committee Briefing Document

#### Agenda Item

Award of Rivers Station Subdivision Road Repair and Paving project.

#### Background

On July 11, 2017, County Council approved the execution of an agreement between the County and Cascata Development, LLC and Rivers Station, LLC to complete the construction of the roads in Rivers Station Subdivision and Blythecreek Subdivision.

Both subdivisions are 100% occupied and the citizens in both developments have voiced concerns about the conditions of the unfinished roads in their neighborhoods. Richland County has been responding to complaints from homeowners concerning the conditions of the roads and the County conducted a full assessment of both projects to present a report to the developer to make said repairs. The Developer had indicated the Limited Liability Companies that originally developed the neighborhoods are dissolved and no longer in a position to complete the construction of the roads in both neighborhoods. Further, the Developer indicated he was not in a financial position to perform all the work needed to complete the roads at one time and is unlikely to be able to secure bank loans on such an old project. The Developer, personally and with his current corporation, offered to enter into an agreement to satisfy the obligations of Cascata Development, LLC and Rivers Station, LLC. The agreement allows the County to accept the roads in their current conditions and complete their construction, to include making repairs that will bring the roads into compliance. The Developer will be required to make an initial payment and subsequent agreed-upon payments to reimburse the county for services rendered. The County will take an accounting of services rendered to assure that the total payment from the developer covers all labor, materials, and professional services.

A Request for Bid was issued for the repairs and paving for Rivers Station Subdivision on September 8, 2017. Two bid submittals were received and opened on October 12, 2017. CR Jackson was identified as the lowest, responsive, responsible bidder with a bid of \$211,074.00.

#### Issues

There are no other issues.

#### Fiscal Impact

Per Council Action on July 11, 2017, the Department of Public Works Roads and Drainage Fund Balance will cover the expense of the work with repayment by the party to the agreement (Developer of Blythecreek and Rivers Station).

### **Past Legislative Actions**

July 11, 2017 approval by Council to enter into a contract with the Developer for reimbursement of roads to be repaired by the County in Blythecreek and Rivers Station Subdivisions.

### **Alternatives**

1. Approve the request to award this Contract for construction services described herein and further described in detail in the project plans and specifications as advertised.
2. Do not approve the request to award this Contract for construction services.

### **Staff Recommendation**

It is recommended that Council approve the recommendation to award a construction contract to CR Jackson for the repairs and paving of roads in Rivers Station subdivision.

**Submitted by:** Jennifer Wladischkin, Acting Procurement Manager

**Date:** October 18, 2017



**REQUEST OF ACTION SUMMARY SHEET**

Agenda Item No.:

Meeting Date: June 27, 2017

To: Gregory Pearce, Chair, Administration and Finance Committee  
 From: Tracy Hegler  
 Department: Community Planning and Development

**Item Subject Title:** Council Motion: Enter into an agreement with Cascata Development, LLC and Rivers Station, LLC to complete the construction of the roads in Rivers Station Subdivision and Blythecreek Subdivision.

**Action Taken by Committee previously:** None.

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

**Motion Requested Today:** Council is asked to approve the execution of this agreement, with the language recommended by the Developer, which will allow the County to make road repairs that will serve the citizens in Blythecreek and Rivers Station Subdivisions. Staff also recommends adding a clause about final accounting of the repairs and what will occur if those repairs are over or under the estimated amounts.

**Staff Recommendation:** Approval.

**Impact of Action:** Operating Budget: Not applicable.

Capital Budget: Not applicable.

**Funding Amount/Source:** Department of Public Works (DPW) Roads and Drainage Fund Balance will cover the expense of the work (est. \$200,000) with repayment by the party to the agreement (Developer of Blythecreek and Rivers Station).

**Requested by:** Tracy Hegler, Director of Community Planning & Development

**Staff Representative:** County Administrator Gerald Seals

**Outside Representative:** None.

**List of Attachments:**

1. Detailed Request of Action
2. Maps of Neighborhoods

6/21/17  
Date Submitted

Brandon Madden  
Approved by the County Administrator's Office

2 and 7  
Council District

## Richland County Council Request of Action

**Subject:** Enter into an agreement with Cascata Development, LLC and Rivers Station, LLC to complete the construction of the roads in Rivers Station Subdivision and Blythecreek Subdivision.

### A. Purpose

County Council is requested to approve the execution of an agreement with Richland County and Cascata Development, LLC & Rivers Station, LLC to complete road construction, including repair of existing infrastructure, at Blythecreek Subdivision (Council District 2) and Riverstation Subdivision (Council District 7). The agreement will allow Richland County to make the necessary repairs in both subdivisions in order to bring the roads into compliance, and receive arranged payments from the Representative of both entities to cover the expenses incurred by the County, which will include labor, materials, and professional services.

### B. Background / Discussion

Blythecreek Subdivision (Attachment A) is a single-family residential development located on Boney road (S-40-1367). The 80.61 acre neighborhood consists of 153 lots and approximately 9,000 linear feet of road, along with approximately 20 acres of common area. A land disturbance permit was issued on September 29, 2006 and the project was constructed in two (2) phases.

Riverstation Subdivision (Attachment B) is a single-family residential development located on Longtown Road. The neighborhood covers 31.17 acres with 106 lots, approximately 4,500 linear feet of road and approximately 9 acres of common area. A land disturbance permit was issued on July 30, 2007 and the project was constructed in two (2) phases.

Both subdivisions are 100% occupied and the citizens in both developments have voiced concerns about the conditions of the unfinished roads in their neighborhoods. To date, the developer of Blythecreek Subdivision and Riverstation Subdivision has 'not' petitioned the county to accept the roads in these neighborhoods, given their unfinished state and non-compliance with County standards.

Richland County has been responding to complaints from homeowners concerning the conditions of the roads and the County conducted a full assessment of both projects to present a report to the developer to make said repairs. The Developer indicated the Limited Liability Companies that originally developed the neighborhoods are dissolved and no longer in a position to complete the construction of the roads in both neighborhoods. Further, the Developer indicated he is not in a financial position to perform all the work needed to complete the roads at one time and is unlikely to be able to secure bank loans on such an old project. The County conducted a search of bonds for both projects and no information can be found on Blythecreek Subdivision and a bond was in place for Riverstation Subdivision in the amount of \$471K which expired on January 1, 2010.

The Developer, personally and with his current corporation, has offered to enter into an agreement to satisfy the obligations of Cascata Development, LLC and Rivers Station, LLC. The agreement will allow the County to accept the roads in their current conditions and complete their construction, to include making repairs that will bring the roads into compliance. The Developer will be required to make an initial payment and subsequent agreed-upon payments to reimburse the county for services rendered. The County will take an accounting of services rendered to assure that the total payment from the developer covers all labor, materials, and professional services.

The following steps have been taken to develop the structure of the agreement:

- Richland County prepared a report for each subdivision that identifies deficiencies and list quantities of failures for the purpose of developing a cost estimate.
- The County Engineer created a cost estimate based on the quantities submitted.
- The scope of work was presented to the developer with an estimated total cost.
- The agreement defined the scope of work to be conducted and outlined a schedule of payments to be made by the developer.

The proposed agreement has been reviewed by the County's Legal Department and the Developer. The County's Legal Department indicates the agreement is legally sound and provides adequate protection for the County. However, it should be noted the Developer removed language proposed by the County's Legal Department that would explicitly strengthen the recourse available to us in the event of a default. The alternate language for paragraph 3 follows. The decision as to the acceptable language is a policy decision for Council.

Pickrel agrees that regardless of the responsibility of Cascata and Rivers Station to make the payments herein established, he is also personally liable for the payments herein, and in the case of any default in payment, Pickrel agrees that the County may take any action available to it in law or equity to recover the debt from him personally, including execution on his real and personal property. Until receipt by Richland County of the final payment, Owner and Pickrel do hereby bind themselves and their heirs, successors, and assigns to indemnify, defend, hold harmless and release the Richland County, its successors and assigns, from all losses, damages, destruction and claims in any way relating to the design, construction, or previous maintenance performed by anyone other than Richland County of such streets, roads or rights-of-way hereinabove specified.

Richland County Department of Public Works (DPW) has been a part of these discussions and reviewed the agreement, as it is assumed the work can be completed by DRW personnel and equipment. DPW agrees to complete the necessary work and recover funds from the Developer for those costs.

The cost to complete the roads in both neighborhoods is not estimated to exceed \$200,000 and would be covered by DPW's Roads & Drainage Fund Balance. The terms of the proposed agreement require the Developer pay the County back in three installments within twenty-four

(24) months of the agreement's effective date. That repayment should be deposited into the County's Roads & Drainage Fund Balance.

The County will prepare final accounting of the repairs. The Developer would be responsible for any additional funds or work that may be required outside of the original scope or an additional contract may be negotiated.

This request has been reviewed by Finance with no concerns.

**C. Legislative / Chronological History**

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

**D. Financial Impact**

There is no financial impact associated with this request.

**E. Alternatives**

1. Approve the execution of the agreement which will allow the Department of Public Works to facilitate repairs and completion of the road to serve the citizens in the neighborhoods.
2. Do not approve the execution of the agreement. Choosing this alternative would leave the citizens living in these two neighborhoods with failing and incomplete infrastructure. The County will continue to hold the developer responsible for making repairs and completing the construction of the roads.

**F. Recommendation**

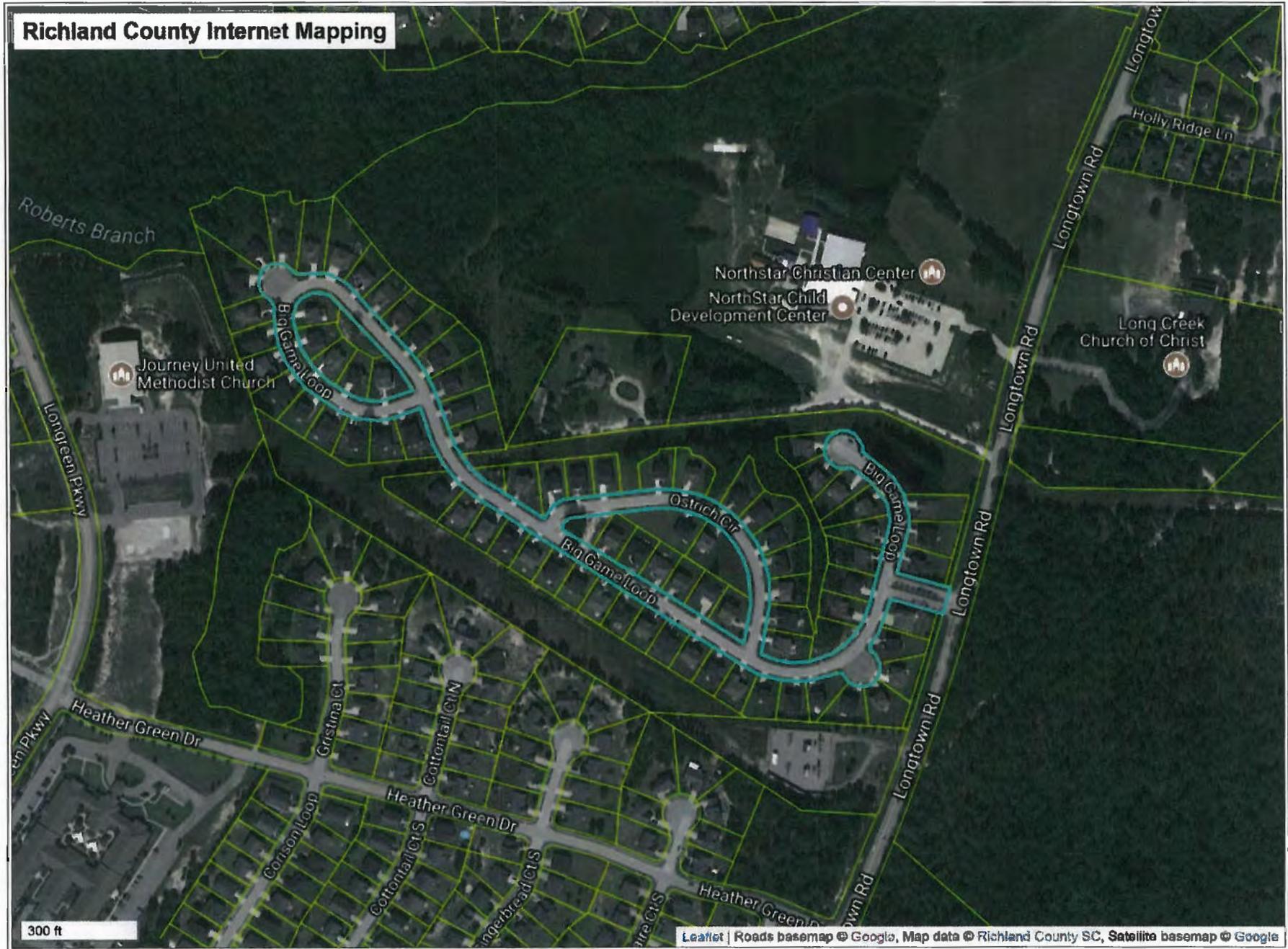
It is recommended that Council approve the execution of this agreement, with the language recommended by the Developer, which will allow the County to make road repairs that will serve the citizens in Blythecreek and Rivers Station Subdivisions. Staff also recommends adding a clause about final accounting of the repairs and what will occur if those repairs are over or under the estimated amounts.

Recommended by: Tracy Hegler

Department: Planning

Date: June 16, 2016

ATTACHMENT B





# RICHLAND COUNTY GOVERNMENT CERTIFIED BID TABULATION

<b>SOLICITATION NUMBER :</b> RC-019-B-2018		<b>PROJECT NAME:</b> Riverstation Subdivision Road Repair & Paving		<b>DATE ISSUED:</b> 9/8/17		<b>RECEIPT DATE:</b> 10/12/17		<b>TIME OPEN:</b> 2:00PM	
<b>DEPARTMENT:</b>			<b>REQUISITION #:</b>			<b>CONTRACT#:</b>		<b>PURCHASE ORDER #:</b>	
<b>POINT OF CONTACT:</b> Jennifer Wladischkin			<b>T:</b> 803-576-2130 <b>F:</b> 803-576-2135 <b>EMAIL:</b> wladj@rcgov.us			<b>NUMBER OF ADDENDUM ISSUED:</b> 3		<b>APPARENT LOW BIDDER</b>	
ITEM	MINIMUM DESCRIPTION	UI	QTY		COMPANY:	COMPANY:	COMPANY:	COMPANY:	
1	Lump Sum	LS	1	(\$)	CR Jackson	Armstrong			
2				(\$)	211074.00	220,941.00			
3				(\$)					
4				(\$)					
5				(\$)					
6				(\$)					
7				(\$)					
8				(\$)					
<b>SHIPPING</b>									
<b>TAX</b>									
<b>GRAND TOTAL</b>									
<b>DELIVERY CALENDAR DAYS</b>									
<b>WARRANTY</b>									
<b>GUARANTEE</b>									
<b>NAME AND TITLE OF CERTIFYING OFFICIAL</b> Jennifer Wladischkin					<b>NAME AND TITLE OF ASSISTANT</b> Toya Thomson				
<b>SIGNATURE</b> 					<b>SIGNATURE</b> 				
<b>DATE:</b> 10/12/17					<b>DATE:</b> 10/12/17				

2017 OCT 12 PM 2:00  
 RICHLAND COUNTY  
 PROCUREMENT DEPT

Richland County Govt



rcgov » Formal Solicitations »

# RC-019-B-2018 Riverstation Sub Road Repair Paving.pdf

## Tags from "Formal Solicitation"

Assign Solicitation	RC-019-B-2018	
Number:		
Description:	Riverstation Subdivision Road Repair & Paving	
Department:	Planning	
Procurement Contact:	Jennifer Wladischkin	
Review Scope of Work.:	August 24, 2017	NO ALERT
Reviewed By.:	Procurement, Department	
Create Solicitation	September 08, 2017	NO ALERT
Package.:		
Advertise1:	September 08, 2017	NO ALERT
Pre-Solicitation Conf.:	September 21, 2017	NO ALERT
Issue Addendums:	—	
Bid Opening:	October 12, 2017	NO ALERT
Publish Tabulation.:	October 12, 2017	NO ALERT
Evaluate Responses.:	October 16, 2017	NO ALERT
Council Approval	Yes	
Required?:		
Council Approved Date:	—	
Issue Notice of Intent.:	—	
Intent to Award to.:	—	
Sent Contract to Legal:	—	
Received back from	—	
Legal:		
Sent Contract to Admin:	—	
Received back from	—	
Admin:		
Assign COR.:	—	



**Administration & Finance Committee Meeting  
November 16, 2017  
Committee Briefing Document**

**Agenda Item**

Repeal of Ordinance Section 1-16 of Chapter 1, General Provisions of the Richland County Code of Ordinances

**Background**

County Council is being asked to rescind Section 1-16 of Chapter 1, General Provisions of the Richland County Code of Ordinances. It reads, in part:

Notwithstanding any other ordinance, Richland County shall not pay the legal fees incurred by any board, committee, commission or similar entity that is not created by County ordinance or whose members are not appointed by the Richland County Council. Further, Richland County shall not pay any legal judgments ordered against, or any settlement amounts proposed by or on behalf of any board, committee, commission or similar entity that is not created by County ordinance or whose members are not appointed by the Richland County Council. This ordinance only applies to boards, committees, commissions or similar entities, and does not apply to offices under the direction of County elected officials or offices under the direction of officials appointed by the Richland County Council or the Richland County Administrator.

**Issues**

The Board understands that it is the belief of the County Council that because they are not the appointing authority for the Board or its staff that they should not fund the legal fees and obligations of the Board as the Council believes that those functions should be handled by the state.

The Board is currently awaiting a legal opinion from the Office of the Attorney General to resolve this issue. However, the Board has legal obligations that pre-date this ordinance and has reached a settlement in two legal matters. The administration refuses to allow the Board to pay those fees and settlements out of its FY18 budget citing this ordinance, Furthermore, the Board has no effective legal representation in three current matters as its attorneys are refusing further work until all past bills are paid. Regarding the settlement matters, the Board has until January 2, 2018 to complete the settlement or the cases will be restored to the active docket and the litigation will proceed. It is in the best interests of the citizens of Richland County that the settlements proceed and avoid the continued costs of litigation.

**Fiscal Impact**

Rescinding the ordinance will have no immediate fiscal impact as the Board seeks to settle current legal matters with the budget amendment recently passed by Council.

**Past Legislative Actions**

This ordinance was passed by unanimous vote at a third reading on February 7, 2017.

**Alternatives**

Actively work with the Board in outstanding legal issues through other means. Failure to repeal the ordinance will leave the Board in a perilous legal situation.

**Staff Recommendation**

None as this a request of an appointed official.

**Submitted by:** Rokey W. Suleman, Director  
Richland County Board of Voter Registration and Elections



**Administration & Finance Committee Meeting  
November 16, 2017  
Committee Briefing Document**

**Agenda Item**

One-Year Extension of the Waverly Magistrate Lease

**Background**

County Council is requested to extend the lease agreement (draft is attached) with Woodland Village, LLC for office space for the County's Waverly Magistrate Office located at 2712 Middleburg Drive through October 2018.

The County approved a five year lease agreement extension with Woodland Village, LLC for the Waverly Magistrate Office that expired on September 14, 2015.

Council approved a lease renewal for an additional two years, which expired October 31, 2017.

Council approval of the extension of the lease agreement will allow the operations at the Waverly Magistrate Office to continue uninterrupted.

**Issues**

None.

**Fiscal Impact**

The financial impact to the County would be the monthly rental rate for 12 months. Funding is available to cover this request in Biennium Budget I.

**Past Legislative Actions**

6/2010 – Lease Agreement with Woodland Village, LLC was extended for five years – see attached agreement.

10/2015 - Lease Agreement with Woodland Village, LLC was extended for two years – see attached agreement

**Alternatives**

1. Approve the extension.
2. Do not approve the extension.

**Staff Recommendation**

Approval of the extension.

**Submitted by:** Administrator's Office

**Date:** November 8, 2017

## **LEASE EXTENSION AGREEMENT**

This Lease Extension Agreement is made this \_\_\_\_ day of November, 2017 by and between Woodland Village, LLC (Landlord) and Richland County (Tenant) for a space of approximately 2,950 sq. ft at Suite 106, Middleburg Plaza, 2712 Middleburg Drive, Columbia, South Carolina. Landlord and Tenant hereby agree to renew this Lease for an additional period of one (1) year upon the same terms and conditions except the rental rate shall be \$36,875.04 payable in equally monthly installments of \$3,072.92. This one-year extension shall commence November 1, 2017 and terminate October 31, 2018. Provider acknowledges that the County is a governmental entity, and the contract validity is based upon the availability of public funding under its authority. In the event that public funds are unavailable and not appropriated for the performance of County's obligations under this contract, then this contract shall automatically expire without penalty to County after written notice to Provider of the unavailability and non-appropriation of public funds.

Except as amended above, all the terms and conditions of this Lease shall remain the same.

IN WITNESS WHEREOF, the parties have signed below.

LANDLORD:

WOODLAND VILLAGE, LLC

By \_\_\_\_\_

TENANT:

RICHLAND COUNTY

By \_\_\_\_\_

## LEASE EXTENSION AGREEMENT

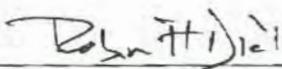
This Lease Extension Agreement is made this 30th day of June, 2010 by and between Woodland Village, LLC (Landlord) and Richland County (Tenant) for a space of approximately 2,950 sq. ft at Suite 106, Middleburg Plaza, 2712 Middleburg Drive, Columbia, South Carolina. Landlord and Tenant hereby agree to renew this Lease for an additional period of five (5) years upon the same terms and conditions and same rental rate. This five-year extension shall commence September 15, 2010 and terminate September 14, 2015. Provider acknowledges that the County is a governmental entity, and the contract validity is based upon the availability of public funding under its authority. In the event that public funds are unavailable and not appropriated for the performance of County's obligations under this contract, then this contract shall automatically expire without penalty to County after written notice to Provider of the unavailability and non-appropriation of public funds.

Except as amended above, all the terms and conditions of this Lease shall remain the same.

IN WITNESS WHEREOF, the parties have signed below.

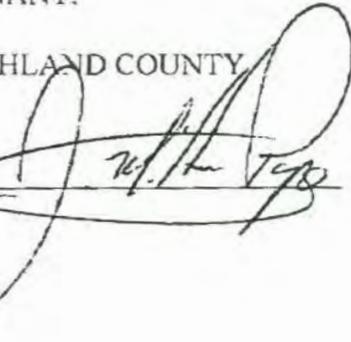
LANDLORD:

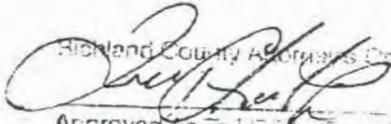
WOODLAND VILLAGE, LLC

By 

TENANT:

RICHLAND COUNTY

By 

  
 Richland County Administrator  
 Approved As To LEGAL Form Only  
 No Opinion Rendered As To Content.

**LEASE EXTENSION AGREEMENT**

This Lease Extension Agreement is made this <sup>22<sup>nd</sup></sup> ~~6<sup>th</sup>~~ day of October, 2015 by <sup>RHD</sup> and between Woodland Village, LLC (Landlord) and Richland County (Tenant) for a space of approximately 2,950 sq. ft at Suite 106, Middleburg Plaza, 2712 Middleburg Drive, Columbia, South Carolina. Landlord and Tenant hereby agree to renew this Lease for an additional period of two (2) years upon the same terms and conditions and same rental rate. This two-year extension shall commence November 1, 2015 and terminate <sup>RHD</sup> ~~October 31~~, 2017. Provider acknowledges that the County is a governmental entity, and the contract validity is based upon the availability of public funding under its authority. In the event that public funds are unavailable and not appropriated for the performance of County's obligations under this contract, then this contract shall automatically expire without penalty to County after written notice to Provider of the unavailability and non-appropriation of public funds.

Except as amended above, all the terms and conditions of this Lease shall remain the same.

IN WITNESS WHEREOF, the parties have signed below.

LANDLORD:

WOODLAND VILLAGE, LLC

By *Robin Hill*

TENANT:

RICHLAND COUNTY

By *Tony McDowell*

Richland County Attorney's Office  
*Brent Jones 10/21/15*  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content



**Administration & Finance Committee Meeting  
November 16, 2017  
Briefing Document**

**Agenda Item**

Service fee imposed on property that is not taxed in Richland County.

**Background**

During its November 7, 2017 Council meeting deliberations, Vice-Chairman Malinowski and Councilmember N. Jackson brought forth the following motion:

Direct staff, in conjunction with the legal department, to determine how a service fee can be imposed on property that is not taxed in Richland County. The purpose is that even though certain properties are exempt from taxes, they still receive all amenities provided by Richland County that others must pay for in addition to property taxes [Malinowski and N. Jackson]

Regarding the possibility of imposing a uniform service charge on tax exempt property, the law is clear on the taxation issue, but appears to be untested (at least in SC) on the uniform service charge aspect.

Specifically, S.C.Code Ann. subsection 4-9-30(5)(a) allows county governing bodies “to assess property and levy ad valorem property taxes and uniform service charges...for functions and operations of the county, including, but not limited to, appropriations for general public works, including roads, drainage, street lighting, and other public works...”

However, S.C.Code Ann. subsection 12-37-220(A) provides for a number of “General exemption from taxes,” including, among others,

- “(1) all property of the State, counties, municipalities, school districts, Water and Sewer Authorities and other political subdivisions, if the property is used exclusively for public purposes...;
- (2) all property of all schools, colleges, and other institutions of learning and all charitable institutions in the nature of hospitals and institutions caring for the infirmed...;
- (3) all property of all public libraries, churches, parsonages, and burying grounds...”

There appear to be no cases on point as to the issue of imposing a uniform service charge on tax exempt property where the service charge is imposed pursuant to S.C.Code Ann. subsection 4-9-30(5)(a). However, there is a South Carolina Supreme Court case holding that an assessment on a church’s tax-exempt property pursuant to the Municipal Improvement Act, S.C.Code Ann. Sections 5-37-10 et seq., is lawful. That case is German Evangelical Lutheran Church of Charleston v. City of Charleston (2003). It should be noted that this “assessment” was made under a specific statute, and may be considered distinct from a “uniform service charge” pursuant to 4-9-30(5). In other words, this case should be considered as related, but perhaps not controlling, on this issue.

## **Issues**

Legality

## **Fiscal Impact**

Contingent upon Council's action regarding this motion.

## **Past Legislative Actions**

None.

## **Alternatives**

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

## **Staff Recommendation**

Given that this matter is a Council-initiated motion, staff does not have a recommendation.

**Proposed by:** Vice-Chairman Malinowski and Councilman N. Jackson    **Date:** November 7, 2017

**SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY BOND**  
**ISSUE FOR**  
**SC HEALTH COMPANY**

The proceeds of this South Carolina Jobs-Economic Development Authority (“**JEDA**”) bond issue, which will be issued in one or more series and in an aggregate principal amount of not exceeding \$1,500,000,000, will be used to (i) repay certain prior debt obligations issued by or for Greenville Health System and Palmetto Health to finance or refinance hospital and health care facilities (together, the “**Projects**”) to enable SC Health Company, a SC nonprofit organization (the “**Borrower**”) to integrate a new health system and (ii) pay certain costs of issuance of the Bonds and fees (the “**Undertaking**”).

The proceeds of the Bonds will be loaned to the Borrower in connection with the formation of a new integrated health system which will be led by the Borrower and includes the Strategic Coordinating Organization (“**SCO**”) and Palmetto Health pursuant to an Affiliation Agreement dated as of August 15, 2017 between SCO and PH. SCO is the sole member of Upstate Affiliate Organization (“**UAO**”). SCO and UAO, together with Greenville Health System, are collectively referred to as “**GHS**”.

Since this is a JEDA bond issue, there is no impact on any political subdivision’s millage.

SC Health Company and JEDA are requesting that Richland County, pursuant to JEDA’s enabling legislation and federal tax law (1) hold a public hearing relating to JEDA’s issuance of bonds on behalf of SC Health Company for the above-described Projects allocable to the Undertaking in so far as it relates to Richland County and (2) adopt a resolution in support of the issuance of such bonds allocable to the Undertaking in so far as such relates to Richland County.

As with all JEDA bond issues, the issuer of the bonds is JEDA, and a county’s sole role is to hold a public hearing and adopt a support resolution. There is no impact on a county’s general obligation debt capacity, and no pecuniary liability for a county.

Representatives from SC Health Company will attend the December 5<sup>th</sup> County Council meeting to answer any questions.

Notice of the requested public hearing will be published in *The State* on Friday, November 17<sup>th</sup>.

**ACTION REQUESTED OF COUNCIL**

Hold a public hearing and approve a support resolution.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held by the South Carolina Jobs-Economic Development Authority (the “*Issuer*”) and the County Council of Richland County, South Carolina (the “*County*”), on Tuesday, December 5, 2017, at 6:00 pm in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, in connection with the issuance by the Issuer of its Hospital Revenue Bonds (SC Health Company) (the “*Bonds*”), in one or more series, in an aggregate principal amount not to exceed \$1,500,000,000. The Bonds will be issued as Qualified 501(c)(3) Bonds under Section 145 of the Internal Revenue Code, as amended (the “*Code*”). The proceeds of Bonds will be loaned to SC Health Company, a South Carolina nonprofit corporation (the “*Borrower*”), in connection with the formation of a new integrated health system (the “*System*”) which will be led by the Borrower and includes the Strategic Coordinating Organization, a South Carolina nonprofit corporation (“*SCO*”) and Palmetto Health, a South Carolina nonprofit corporation (“*PH*”) pursuant to an Affiliation Agreement dated as of August 15, 2017 between SCO and PH (the “*Affiliation Agreement*”). The Issuer is delivering this notice pursuant to the election permitted under IRS Proposed Regulation REG 128841-07 (September 28, 2017).

SCO is the sole member of Upstate Affiliate Organization (“*UAO*”), and SCO and UAO (which together with Greenville Health System, a public body corporate of the State previously known as Greenville Hospital System Board of Trustees, are collectively defined herein as “*GHS*”) operate a comprehensive, integrated health care system that includes a range of health care facilities and professional practices with health educational affiliations serving the Upstate region of South Carolina. PH is a comprehensive, integrated health care system including a range of health care facilities and professional practices with health educational affiliations serving the Midlands region of South Carolina. Under the Affiliation Agreement, the Borrower will set the strategic direction for the System, provide support services to PH and GHS and other providers joining the System, and exercise certain governance and operational powers that are reserved to it as a member of PH and GHS, respectively. The Bonds will be used to repay certain prior debt obligations issued by or for GHS or PH (the “*Prior Debt*”) to facilitate the integration of the System. The Bonds will refinance hospital and health care facilities (together, the “*Projects*”), and pay the costs of issuance of the Bonds and fees for any credit enhancements, liquidity facilities or hedges deemed necessary by the Borrower. The principal amount of the Bonds to be allocated to the Projects that are components of the System will not exceed the following.

<b>Project Name:</b>	<b>Not to Exceed Bond Amount:</b>
PH RMH-Baptist Hospital Project	\$627,000,000
PH Parkridge Project	\$152,400,000
PH Tuomey Project	\$84,100,000
GHS Greenville Memorial Project	\$429,800,000
GHS Patewood Project	\$89,200,000
GHS Simpsonville Project	\$21,300,000
GHS Greer Project	\$23,800,000
GHS North Greenville Project	\$3,400,000
GHS Oconee Project	\$75,200,000

Note: The aggregate amount in the table may exceed \$1,500,000,000. Borrower does not expect the amount allocable to an individual Project will exceed the amount set forth nor in the aggregate exceed \$1,500,000,000.

Each Project consists of real and personal property, buildings, furnishings and equipment used to further the exempt charitable hospital and health care purposes of the Borrower financed by the Prior Debt as part of the System. The locations of the Projects are as follows:

The campuses of the PH RMH-Baptist Hospital Project are located in the City of Columbia, South Carolina in the area bounded by or fronting on SC 277, the Harden Street Extension, Colonial Drive and Beltline Blvd (SC 16) and in the area bounded by or fronting on Marion Street, Blanding Street, Main Street and Hampton Street. The PH RMH-Baptist Hospital Project also includes buildings located at 1401 Sunset Drive, Columbia SC.

The campus of the PH Parkridge Project is located in the City of Columbia, South Carolina in the area bounded by or fronting on Interstate 26, Lake Murray Blvd (SC 60) and Parkridge Drive.

The campus of the PH Tuomey Project is located in the City of Sumter, South Carolina in the area bounded by or fronting on West Calhoun Street, Church Street, West Liberty Street, South Washington Street, Dugan Street, South Main Street and North Main Street. The PH Tuomey Project also includes facilities located at 700 North Wise Drive and 500 Pinewood Road, Sumter, South Carolina.

The campus of the GHS Greenville Memorial Project is located in the City of Greenville, South Carolina in the area bounded by or fronting on Grove Road, West Faris Road and Brushy Creek. The GHS Greenville Memorial Project also includes facilities located at 9 Doctors Drive, 20 Medical Ridge Drive, 1210 West Faris Road and 300 East McBee Avenue, Greenville, South Carolina.

The campus of the GHS Patewood Project is located in the City of Greenville, South Carolina in the area bounded by or fronting on Patewood Drive, Pelham Road, Roper Mountain Road Extension and Commonwealth Drive.

The campus of the GHS Greer Project is located in the City of Greer, South Carolina in the area bounded by or fronting on South Buncombe Road and Village Green Circle. Approximately \$18,100,000 of the GHS Greer Project represents the improvements at former Allen Bennett Hospital located at 313 Memorial Drive, Greer, South Carolina which has been donated to the City of Greer and subsequently demolished.

The campus of the GHS Simpsonville Project is located in the City of Simpsonville, South Carolina in the area bounded by or fronting on S.E. Main Street (Highway 14) and Hospital Drive.

The campus of the GHS North Greenville Project is located in the City of Travelers Rest, South Carolina in the area bounded by or fronting on North Main Street, Maple Lane, the Reedy River and Church Street.

The campus of the GHS Oconee Project is located in Oconee County, South Carolina in the area bounded by or fronting on Sandifer Boulevard (Highway 76/123), Highway 28 and Sheep Farm Road.

All of the facilities comprising the Projects will be owned and operated by GHS, PH, Palmetto Health Tuomey, or the Borrower as part of the System. Palmetto Health Tuomey is a South Carolina nonprofit corporation, of which PH is the sole member. The Borrower will unconditionally covenant to make payments sufficient to pay the principal and interest on the Bonds.

The Bonds will be payable solely and exclusively out of payments to be made by the Borrower, PH or GHS. The Bonds do not represent a general obligation of the State of South Carolina, the Issuer or

any other agency or political subdivision of the State of South Carolina within the meaning of any state constitutional provision or statutory limitation or constitute or give rise to any pecuniary liability of such agency or political subdivision or a charge against their general credit or taxing powers. The Issuer has no taxing authority.

The public is invited to attend the hearing at the address set forth above and/or submit written comments on the issuance of the Bonds or the refinancing of the Projects to the South Carolina Jobs-Economic Development Authority at 1201 Main Street, Suite 1600, Columbia, South Carolina 29201, and to Richland County Council at 2020 Hampton Street, Columbia, South Carolina 29201.

SOUTH CAROLINA JOBS-ECONOMIC  
DEVELOPMENT AUTHORITY  
Harry A. Huntley, Executive Director

RICHLAND COUNTY, SOUTH CAROLINA  
Clerk to Council

**A RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS HOSPITAL REVENUE BONDS (SC HEALTH COMPANY) SERIES 2017, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,500,000,000 AND AUTHORIZING A PLEDGE OF REVENUES OF SC HEALTH COMPANY IN CONNECTION HEREWITH.**

**WHEREAS**, the South Carolina Jobs-Economic Development Authority (the “*Authority*”) is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended (the “*Act*”), to utilize any of its program funds to establish loan programs for the purpose of reducing the cost of capital to business enterprises which meet the eligibility requirements of Section 41-43-150 of the Act and for other purposes described in Section 41-43-160 of the Act and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina (the “*State*”); and

**WHEREAS**, the Authority is further authorized by Section 41-43-110 of the Act to issue revenue bonds payable by the Authority solely from a revenue producing source and secured by a pledge of said revenues to defray the cost of medical facilities where such assistance will help relieve a shortage of doctors, specialists or medical services in the area where the project is located; and

**WHEREAS**, the Authority, by official action of its governing body, the Board of Directors of the Authority, and SC Health Company, a South Carolina nonprofit organization (the “*Borrower*”), entered into an Inducement Agreement dated November 15, 2017 (the “*Inducement Agreement*”), pursuant to which and in order to implement the public purposes enumerated in the Act, and in furtherance thereof to comply with the undertakings of the Authority pursuant to the Inducement Agreement, the Authority proposes, subject to such approval by the South Carolina Coordinating Council for Economic Development, Greenville County, Oconee County, Richland County and Sumter County (collectively, the “*Counties*”), as may be required by law, to issue not exceeding \$1,500,000,000 aggregate principal amount of Hospital Revenue Bonds (SC Health Company) Series 2017 (the “*Bonds*”), in one or more series, under and pursuant to Section 41-43-110 of the Act; and

**WHEREAS**, the proceeds of the Bonds will be loaned to the Borrower in connection with the formation of a new integrated health system (the “*System*”) which will be led by the Borrower and includes the Strategic Coordinating Organization, a South Carolina nonprofit corporation (“*SCO*”) and Palmetto Health, a South Carolina nonprofit corporation (“*PH*”) pursuant to an Affiliation Agreement dated as of August 15, 2017 between SCO and PH (the “*Affiliation Agreement*”); and

**WHEREAS**, SCO is the sole member of Upstate Affiliate Organization (“*UAO*”), and SCO and UAO (which together with Greenville Health System, a public body corporate of the State previously known as Greenville Health System Board of Trustees, are collectively defined herein as “*GHS*”) operate a comprehensive, integrated health care system that includes a range of health care facilities and professional practices with health educational affiliations serving the Upstate region of the State; and

**WHEREAS**, PH is a comprehensive, integrated health care system including a range of health care facilities and professional practices with health educational affiliations serving the Midlands region of the State; and

**WHEREAS**, under the Affiliation Agreement, the Borrower will set the strategic direction for the System, provide support services to PH and GHS and other providers joining the System, and exercise certain governance and operational powers that are reserved to it as a member of PH and GHS, respectively; and

**WHEREAS**, the proceeds of the Bonds will be used to (i) repay certain prior debt obligations issued by or for GHS and PH to finance or refinance hospital and health care facilities (together, the “*Projects*”) to enable the Borrower to integrate the System (the “*Undertaking*”) and (ii) pay certain costs of issuance of the Bonds and fees for any credit enhancements, liquidity facilities or hedges deemed necessary by the Borrower; and

**WHEREAS**, the Borrower is projecting that the assistance of the Authority by the issuance of the Bonds, in one or more series, to finance the Undertaking, (1) will result in the maintenance of existing employment for approximately 28,000 people from the Counties and the surrounding areas, and (2) will continue to stimulate the economy of the Counties and surrounding areas by (a) increased payrolls, (b) capital investment, and (c) tax revenues; and

**WHEREAS**, the Board of the Borrower and the Authority requested the County Council of Richland County hold a public hearing as required by the Act and requested the adoption of this Resolution by the County Council of Richland County (the “*County Council*”); and

**WHEREAS**, the County Council, as the governing body of Richland County, and the Authority have on December 5, 2017, jointly held a public hearing, duly noticed by publication in a newspaper having general circulation in Richland County, not less than 15 days prior to the date hereof, at which all interested persons have been given a reasonable opportunity to express their views;

**NOW THEREFORE, BE IT RESOLVED** by the County Council of Richland County, South Carolina, as follows:

Section 1. It is hereby found, determined and declared, based on information provided by the Borrower, that (a) the Undertaking will subserve the purposes of the Act; (b) the Undertaking is anticipated to benefit the general public welfare of Richland County by providing services, employment, or other public benefits not otherwise provided locally; (c) the issuance of the Bonds and the Undertaking will give rise to no pecuniary liability of Richland County or a charge against the general credit or taxing power of Richland County; (4) the amount of Bonds required to finance the Undertaking is \$1,500,000,000 and (5) the documents to be delivered by the Authority with respect to the Bonds will provide, among other things, (i) for the amount necessary in each year to pay the principal of and interest on the Bonds, (ii) whether reserve funds of any nature will be established in connection with the retirement of the Bonds and the maintenance of the Projects (and, if any such reserve funds are to be so established, the amount necessary to be paid each year into such funds), and (iii) that the Borrower shall maintain the Projects and carry all proper insurance with respect thereto.

Section 2. The County Council supports the Authority in its determination to issue the Bonds allocable to the Undertaking in so far as such relates to Richland County to defray the costs of the Undertaking, including costs of issuance, if determined by the Borrower.

Section 3. The Bonds shall not constitute an indebtedness of Richland County within the meaning of any State Constitutional provisions or statutory limitations and shall be payable solely from revenues as set forth in the authorizing documents of the Bonds. The full faith, credit and taxing powers of Richland County are not pledged to secure the Bonds.

Section 4. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption.

Adopted this 5<sup>th</sup> day of December, 2017.

**RICHLAND COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Chairman of County Council

\_\_\_\_\_  
County Administrator

(SEAL)

Attest:

\_\_\_\_\_  
Clerk to County Council



**Administration and Finance Committee Meeting  
November 16, 2017  
Items Pending Analysis – Status Updates**

**Items Pending Analysis**

- a. Council Motion: The City of Columbia announced that they will be targeting Hospitality Tax businesses in the unincorporated area for annexation to take HTax funds. The City receives more than \$10 million annually while the unincorporated area receives over \$5 million annually. The County spends more than half its funds in the City while the City spends its funds in the City only. I move unless the City develops an IGA or MOU with the County not to take target and take the County HTax funds that Richland County then there should some discussion to reevaluate collection of the HTax funds [N. Jackson & Malinowski]

**Status Update:** This motion was brought forth by Vice-Chairman Malinowski and Councilman Norman Jackson during Council’s February 7, 2017 meeting deliberations. Staff has been attempting to continue discussions with the City as it relates to annexation. Staff intends to present this item during the December Committee meeting for its consideration or after a joint meeting of City Council and County Council to discuss on how to move forward.

- b. Council Motion: Explore funding Eco Tourism with funds from Mitigation Bank Credits and Economic Development [N. Jackson]

**Status Update:** This motion was brought forth by Councilman Jackson during Council’s February 7, 2017 meeting deliberations. Staff has discussed with Councilman Jackson holding this motion until such time as the plan is adopted by County Council to better ascertain what options are available.

- c. Council Motion: Explore additional options on supplemental insurance for employees. Note: There are new products available. Staff should talk to existing and additional agencies to provide better or additional options for employees [N. Jackson]

**Status Update:** This motion was brought forth by Councilman Pearce during Council’s July 25, 2017 meeting deliberations. Staff is reviewing this matter. Once staff’s review is complete, this item will be forwarded to the Committee for consideration.

- d. Council Motion: Move that the Recreation Commission provide an update of the Recreation Bond to ensure that it was executed as council approved and that any funds remaining after all items are completed it is Richland County Council's decision on how it is spent [N. Jackson]

**Status Update:** This matter was considered by the Committee during its October 24, 2017 meeting, at which time the Committee requested that the Council’s Recreation Commission

liaisons to meet with the Recreation Commission and bring back recommendations to the committee. The Committee also requested that the bond counsel and the County attorney to provide a legal opinion on what the funds can be spent on. Once the liaisons meet, this matter will be brought back to the Committee for action.

- e. Council Motion: Richland County funds thirteen mills eight mills more than the five mills required by statute. I move that County Council develop a separate Recreation Commission to manage the eight additional mills if the Recreation Commission does not agree to the MOU or if Council still feels that there is taxation without representation. Note: This is a partial solution to the constant challenge for taxation and representation [N. Jackson]

**Status Update:** This matter was considered by the Committee during its October 24, 2017 meeting, at which time the Committee voted to hold this item in Committee until Council's liaisons meet with the Recreation Commission. Once the liaisons meet, this matter will be brought back to the Committee for action.

- f. Council Motion: Revisit the 2002 Richland County Water Plan, and any updates, for providing water to unincorporated areas of Richland County and in conjunction with the future Lower Richland Sewer Project [Malinowski and Myers]

**Status Update:** This motion was brought forth during Council's November 7, 2017 meeting and is being reviewed by staff. Once the review is complete, a briefing document will be presented to the Committee for its consideration.