

RICHLAND COUNTY
ADMINISTRATION AND FINANCE
COMMITTEE

AGENDA



TUESDAY OCTOBER 24, 2023

6:00 PM

COUNCIL CHAMBERS

Richland County Council 2023



Deirek Pugh
District 2



Jason Branham
District 1



Gretchen Barron
District 7



Yvonne McBride
District 3



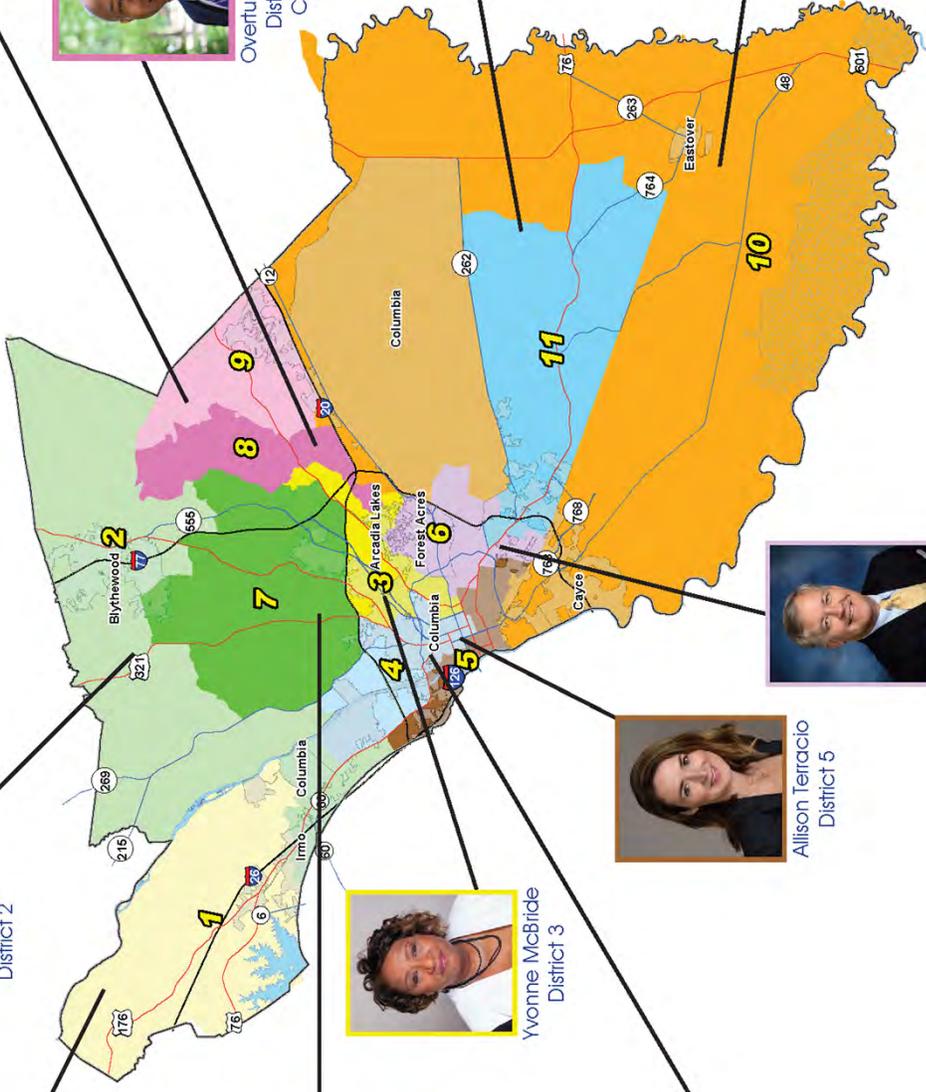
Paul Livingston
District 4



Allison Terracio
District 5



Don Weaver
District 6



Overture Walker
District 8
Chair



Chakisse Newton
District 11



Cheryl English
District 10



**Richland County
Administration and Finance Committee**

AGENDA

October 24, 2023 - 6:00 PM
2020 Hampton Street, Columbia, SC 29204

The Honorable Jason Branham	The Honorable Yvonne McBride	The Honorable Paul Livingston	The Honorable Don Weaver	The Honorable Jesica Mackey, Chair
County Council District 1	County Council District 3	County Council District 4	County Council District 6	County Council District 9

1. **CALL TO ORDER** The Honorable Jesica Mackey

2. **APPROVAL OF MINUTES** The Honorable Jesica Mackey
 - a. September 26, 2023 [\[PAGES 5-9\]](#)

3. **APPROVAL OF AGENDA** The Honorable Jesica Mackey

4. **ITEMS FOR ACTION** The Honorable Jesica Mackey
 - a. Department of Public Works - Jim Hamilton – LB Owens
 Airport (CUB) Airport – Richland County Code of
 Ordinances, Chapter 3, Airport [\[PAGES 10-21\]](#)

5. **ADJOURN** The Honorable Jesica Mackey



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
MINUTES
September 26, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jessica Mackey, Chair; Yvonne McBride, Paul Livingston, and Don Weaver.

NOT PRESEN: Jason Branham.

OTHERS PRESENT: Leonardo Brown, Ashiya Myers, Stacey Hamm, Michelle Onley, Angela Weathersby, Lori Thomas, Anette Kirylo, Kyle Holsclaw, Patrick Wright, Chelsea Bennett, Geo Price, Brittney Hoyle Terry, Venyke Harley, John Ansell, Jennifer Wladischkin, Tamar Black, Abhijit Deshpande, Michael Maloney, Michael Byrd, Dale Welch, John Thompson, and Thomas Gilbert

1. **CALL TO ORDER** – Chairwoman Jessica Mackey called the meeting to order at approximately 6:00 PM.

Ms. Mackey noted Mr. Branham would not be attending tonight’s meeting due to a work obligation.

2. **APPROVAL OF MINUTES**

- a. July 25, 2023 – Mr. Weaver moved to approve the minutes as distributed, seconded by Mr. Livingston.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – The County Attorney, Patrick Wright, requested to add an Executive Session item to the agenda, “Hospitality Tax Discussion.”

Mr. Livingston moved to adopt the agenda as amended, seconded by Mr. Weaver.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. Community Planning & Development – Planning Services – Town of Blythewood Intergovernmental Agreement – Mr. Leonardo Brown, County Administrator, stated this is an item that staff has been working on regarding infrastructure, engineering services, and maintenance, and to include the review of land development projects, stormwater, and roadways. With Blythewood being their own entity, there are certain services they have, and certain services the County has. They are creating an environment where the Town of Blythewood will utilize specific standards by utilizing certain services of the County.

Mr. Wright noted that the staff is requesting to defer this item until the potential annexation matter has been resolved.

Mr. Livingston inquired if this item was time-sensitive.

Mr. Brown responded that it is not time-sensitive.

Mr. Livingston moved to defer this item until the October committee meeting, seconded by Ms. McBride.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

- b. I move County Council fund EdVenture Children’s Museum Hospitality Tax request for facility improvements and enhancements to improve safety and attract new visitors [MACKEY – August 29, 2023] – Ms. Mackey stated, in the agenda packet, there is a formal request from EdVenture for Hospitality Tax funding for an exhibit and safety features at the facility.

Finance Director Stacey Hamm noted that the Hospitality Tax fund balance is \$13.6M.

Mr. Livingston moved to forward to Council with a recommendation to approve EdVenture’s request for Hospitality Tax funding, seconded by Ms. Mackey.

Mr. Livingston inquired if EdVenture requested funding from the City of Columbia.

Mr. Andy Marquart, EdVenture CEO, responded the City of Columbia has been approached to do facility upgrades to the HVAC system. The City also provides all the in-kind services to manage the exterior facility and ongoing repairs and improvements.

Ms. McBride indicated she has concerns regarding the transparency and ad hoc funding of programs without following procedure, given that we have a grant funding cycle for Hospitality Tax funds. This may end up being a cherry-picking process where an entity can come in and request funding from any source at any time. She believes there should be a process (i.e., budget) to request funding unless extenuating circumstances exist. She would support this request if it were in the FY23-24 budget process; therefore, she cannot support this motion.

Ms. Mackey requested clarification on the Hospitality Tax grant process.

Ms. Lori Thomas, Assistant County Administrator, acknowledged there is a Hospitality Tax grant application process. There is only \$500,000 assigned to the process. Other entities that would apply for Hospitality Tax funding typically come to the Council through other means.

Ms. McBride maintained there is a formal process within the budget process, not through the Hospitality Tax Committee.

Ms. Mackey responded it was not her understanding that an organization could not request funds outside of the budget process.

Ms. McBride stated that only the established entities know you can request funding outside the budget process. She wants us to be transparent and fair to everyone by ensuring everyone knows this funding is available to others.

Mr. Livingston made a substitute motion to forward this item to Council without a recommendation, seconded by Ms. McBride.

In Favor: McBride, Livingston, and Mackey

Opposed: Weaver

Not Present: Branham

The vote was in favor.

- c. I move to direct the County Administrator to add Paid Parental Leave as a benefit available to all full-time Richland County employees and to update the Employee Handbook with a policy that reflects a minimum of six weeks of available paid Parental Leave. The goal for implementation date of this new benefit is January 1, 2024 [MACKEY – April 18, 2023] – Ms. Mackey stated at the April 18, 2023, Council meeting Council unanimously agreed to move forward with the “Paid Parental Leave” policy. What is before the committee is the draft language for the policy. Before the policy is included in the Employee Handbook, it will come back to Council.

Mr. Brown noted he is excited about the new policy.

Ms. McBride stated this is a good policy and appears to be a companion to the State’s Family Leave Policy.

Mr. Livingston inquired if the policy would take effect in January 2024.

Ms. Mackey responded in the affirmative.

Mr. Livingston inquired if the additional funds would come from the General Fund and if there would be a need for a budget amendment.

Mr. Brown replied the additional funds were anticipated; therefore, it would not require a budget amendment.

Ms. Mackey inquired where the option for utilizing short-term disability comes into play.

Ms. Venyke Harley, Human Resources Director, stated employees have policies that sometimes will coordinate with our existing benefits. She noted we do not administer that internally, so the employee

would work with the insurance company directly. She indicated sometimes the policies run concurrently, and the employee is being paid by the County and through their short-term policy.

Ms. Mackey moved to add language to the policy that would allow an employee who has experienced a stillbirth to have paid parental leave for them to heal both physically and emotionally, seconded by Mr. Weaver.

Ms. McBride inquired if this amendment would impact the County's costs.

Mr. Brown responded it would, but the additional costs would not be significant.

Ms. Harley stated if an employee were to experience a stillbirth, we would allow the employee to take leave under the Family Medical Leave Act. She noted that one distinct difference between the County's and the State's policies is that we will offer the co-parent six weeks of leave.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

For discussion, Ms. Mackey stated that the draft policy says, "Eligible employees will receive a maximum of two weeks of paid parent leave for the placement of a foster child over the age of six months." She expressed that six months seems relatively young, only to have two weeks.

Ms. Harley indicated there was discussion on whether it would be operationally challenging if an employee were to foster children under six months 3 to 4 times per year.

Ms. Mackey would like to see the draft policy amended as follows: "Eligible employees will receive a maximum of six weeks of paid parental leave for the placement of a foster child twelve months or younger."

Ms. Mackey moved to amend the language in the policy to allow eligible employees to receive a maximum of six weeks of paid parental leave for the placement of a foster child twelve months or younger, seconded by Mr. Livingston.

Mr. Weaver inquired if the employee would get one six-week period per year, not multiple six-week periods.

Ms. Harley responded in the affirmative.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

Ms. Mackey moved to forward to Council with a recommendation to approve the proposed Parental Leave Policy and to include the amendments made at tonight's committee meeting, seconded by Ms. McBride.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

- d. Department of Public Works – Solid Waste & Recycling – Landfill Capital Expansion – Mr. Brown stated Solid Waste & Recycling requests approval for Task Order #9 to Civil & Environmental Consultants, Inc. in the amount of \$225,000 specifically for the expansion at the Richland County Landfill. He indicated the landfill is reaching its useful life. As a result, we are looking to expand.

Ms. McBride moved to forward to Council with a recommendation to approve Task Order #9 to Civil & Environmental Consultants, Inc. in the amount of \$225,000 for the expansion of the Richland County Landfill, seconded by Mr. Livingston.

Mr. Weaver inquired if we allow commercial haulers to bring their loads to the landfill.

Mr. John Ansell, Solid Waste & Recycling General Manager, responded that in Richland County, we utilize our landfill for certain services and Waste Management for other services. It is more cost-effective to divert a truck to our landfill, where we can manage those costs.

Mr. Weaver asked if we accept trash from commercial haulers outside Richland County.

Mr. Ansell responded it is specifically Richland County. Waste Management is a private entity that accepts out-of-county and out-of-state waste.

Mr. Weaver inquired if Waste Management is the only other option.

Mr. Ansell replied L & L is another landfill down the street from Waste Management. In addition, there is another Class III landfill at the bottom of Hwy. 601.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

- e. County Administration: Convention Center – Tourism Development Fee – Mr. Brown indicated the Columbia Metropolitan Convention Center requests 50% of the collected Tourism Development Fee for operational expenses and marketing to fill a portion of their budget deficit. For a period of time, there was an agreement between Richland County, the City of Columbia, and Lexington County that applied funding from the collection of the Tourism Development Fee. The funding would be utilized for operations, marketing, and payment toward the bond debt. Once the bond debt was satisfied, the County retained the collected fee in their coffers. Now, the Convention Center is saying that even though the bond is satisfied, they still have operational needs and request the County remit 50% of the collections of the Tourism Development fee.

Mr. Livingston moved to forward to Council with a recommendation to approve the Columbia Metropolitan Convention Center's request for fifty percent (50%) of the collected tourism development fee to be used for operational expenses and marketing to fill a portion of their budget deficit, seconded by Mr. Weaver.

Mr. Livingston stated, for clarification, that the entire amount of the Tourism Development Fee has gone to the Convention Center in the past.

Mr. Brown responded the amount Richland County collected was remitted to the City of Columbia, which would then remit the funds to the Convention Center.

Mr. Bill Ellen, President & CEO – Experience Columbia, replied that 100% of the fees collected were submitted to the Convention Center. The bonds were paid off on June 30, 2022, so the debt service is no longer there. However, operational and marketing expenses continue to go forward. He noted the area hotels collected the Tourism Development Fee. This fee has supported the Convention Center without asking for any funding from the citizens of Richland County. He indicated the request is for 50% but noted two-thirds of the fee had been going toward marketing and operations in the past.

Ms. McBride inquired if the remaining 50% of the tourism funds would have to be utilized for tourism-related items.

Mr. Wright responded in the affirmative.

Ms. Mackey inquired if there is an end date or if it will be recurring.

Mr. Brown responded he was positive the intent was for it to be recurring as long as the fee is collected.

Ms. McBride noted that often, we do things based on the budgetary year, and there is an annual assessment to determine the funding.

Mr. Brown stated there has not been a decision, so you can potentially decide each fiscal year how to apportion the funds.

Ms. Mackey inquired if other governmental entities are providing funding to the Convention Center.

Mr. Brown replied it is his understanding the City of Columbia is still providing a significant portion to the Convention Center.

Mr. Weaver moved to call for the question, seconded by Mr. Livingston.

In Favor: McBride, Livingston, Weaver, and Mackey.

Not Present: Branham

The vote in favor was unanimous.

5. **EXECUTIVE SESSION**

Mr. Livingston moved to go into Executive Session, seconded by Mr. Weaver.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

***The Committee went into Executive Session at approximately 6:47 PM
and came out at approximately 7:01 PM***

Ms. McBride moved to come out of Executive Session, seconded by Mr. Weaver.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

- a. I move the County Council authorize the County Administrator to enter into negotiations with Divine Auro Development, LLC or its Assignee regarding the potential sale of the property located at 1430 Colonial Life Blvd., also known as, the old Harvety's property [TERRACIO – July 18, 2023] – Mr. Weaver moved to forward to Council with a recommendation to authorize the County Administrator to enter into negotiations and bring back to Council, seconded by Mr. Livingston.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

- b. Property Inquiry – 1221 Gregg Street, Columbia, SC 29201, TMS # R11406-16-16, TMS # R11406-16-17 – Mr. Livingston moved to forward to Council with a recommendation to authorize the County Administrator to enter into negotiations and bring back to Council, seconded by Ms. Mackey.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

- c. Hospitality Tax Discussion – No action was taken.

6. **ADJOURNMENT** – Ms. McBride moved to adjourn the meeting, seconded by Mr. Weaver.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Branham

The vote in favor was unanimous.

The meeting adjourned at approximately 7:04 PM.

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Christopher S. Eversmann, AAE	Title:	General Manager
Department:	Public Works	Division:	Airport (CUB)
Date Prepared:	September 15, 2023	Meeting Date:	October 24, 2023
Legal Review	Elizabeth McLean via email	Date:	October 17, 2023
Budget Review	Abhijit Deshpande via email	Date:	September 28, 2023
Finance Review	Stacey Hamm via email	Date:	October 11, 2023
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Administration & Finance		
Subject	Richland County Code of Ordinances, Chapter 3, Airport		

RECOMMENDED/REQUESTED ACTION:

The Richland County Airport Commission and the staff of the Jim Hamilton - LB Owens Airport (CUB) recommend approval of the updated Airport Ordinance.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There are no specific fiscal or budgetary implications to this ordinance; it reflects current management practices, service levels, and level of funding.

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

The County Attorney’s Office recommended further edits and revisions which were incorporated into the draft ordinance document as attached.

REGULATORY COMPLIANCE:

This ordinance update is consistent with FAA Grant assurances and SC Code, Title 55.

MOTION OF ORIGIN:

This update of Chapter 3 did not originate with a County Council motion.

STRATEGIC & GENERATIVE DISCUSSION:

The existing Airport ordinance is very dated and does not reflect current administration, organization, levels of service, budget and financial management practices, or the Airport development process. This document is an update that addresses all of these areas. Though a longer document, it organizes and streamlines descriptions of essential functions. Among the significant items addressed are:

- Definitions: Adds a section of definitions of technical aviation and airport terminology.
- Organization: Adds a section to reflect current County organization.
- Airport Commission:
 - Reduces the size from nine to seven Commissioners.
 - Consolidates two officer positions into one.
 - Maintains two community representatives and expands the area from which they can be appointed.
 - Emphasizes broad, strategic responsibilities.
- Funding: Addresses Airport funding, grants, fees, rates, and budgets.
- Services: Defines a basic level of Airport services.
- Operations and Facilities: Defines the essential operations, facilities, and airspace imaginary surfaces.
- Tenants: Defines tenants and various tenant businesses and organizations.
- Enforcement: Empowers the Airport General Manager with specific, limited codes enforcement powers on Airport property.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

- Goal 1: Foster Good governance –
 - Updates, streamlines, and right-sizes the Airport Commission
- Objective 3.1: Align budget to priorities and seek alternative revenue sources
 - Lists FAA and SCAC Airport Development Grants
- Objective 4.3: - Create excellent facilities
 - Accounts for Airport Facility types

ADDITIONAL COMMENTS FOR CONSIDERATION:

The Airport Commission conducted a work session on this ordinance on August 31, 2023. The ordinance was recommended for approval by a unanimous vote at their September 11, 2023 meeting.

ATTACHMENTS:

1. Proposed Richland County Code of Ordinances, Chapter 3, Airport

**CODE OF ORDINANCES of RICHLAND COUNTY, SOUTH CAROLINA
CONTAINING THE GENERAL ORDINANCES OF THE COUNTY**

CHAPTER 3: AIRPORT*

Cross reference(s)--Department of public works, § 2-192 et seq.; buildings and building regulations, Ch. 6; planning, Ch. 20; roads, highways and bridges, Ch. 21; land development regulations, Ch. 26.

State law reference(s)--Aeronautics generally, SC Code 1976, § 55-1-10 et seq.; Richland-Lexington Airport District, § 55-11-310 et seq.

ARTICLE I. ADMINISTRATION

Sec. 3-1. In General

Richland County shall provide a general aviation airport known as the Jim Hamilton – LB Owens Airport. The airport shall be part of The National Plan of Integrated Airport Systems (NPIAS). The primary mission of the Airport is to provide facilities for the safe and efficient use of general aviation aircraft in support of transportation needs and economic development of the Midlands area and the State of South Carolina. The secondary mission is to provide a reliever airport for Columbia Metropolitan Airport (CAE).

Sec. 3-2. Definitions

- (a) (Aircraft) Noise Abatement – Those voluntary aircraft operating procedures developed for use in the vicinity of the airport that minimize the environmental effects of aircraft noise.
- (b) Airport General Manager – The designated County Employee who manages the Jim Hamilton – LB Owens Airport (CUB) on behalf of the Airport Sponsor.
- (c) Airport Overlay District – Per chapter 26 of the Richland County code of Ordinances, Airport Height Restrictive Overlay District. An area surrounding the Airport the purpose of which is to ensure that future land development in the district is compatible with height restrictions associated with airspace imaginary surfaces and anticipated and projected aircraft noise levels. Shall include a map reflecting the district boundaries and other physical characteristics thereof.
- (d) Airport Reference Code (ARC) – A system of code numbers and letters selected for airport planning purposes in accordance with the characteristics of the aircraft for which an airport facility is intended.
- (e) Airport Sponsor – Richland County, the owner of the Airport.
- (f) Airspace Obstruction (to air navigation) – An object, whether existing or planned, permanent or temporary, to include natural vegetative growth on terrain, that penetrates airspace imaginary surfaces. Obstructions are presumed to be hazards to air navigation until a Federal Aviation Administration (FAA) study determines otherwise and must be mitigated by marking or removal.
- (g) ARFF – Aircraft Rescue and Fire Fighting.
- (h) CTAF – Common Traffic Advisory Frequency. Utilizes the same designated frequency as UniCom for the purpose of communication between aircraft.
- (i) Fixed-Base Operator (FBO) – FBO is an entity or person allowed to provide fixed based operations by virtue of an agreement with Richland County.
- (j) Minimum Standards – Those required conditions an operator must meet in order to provide a commercial service on the airport. These standards are required in order to establish conditions

that ensure safe and efficient operation of the airport in accordance with FAA rules, regulations, and guidance as well as industry best practices.

- (k) National Air Transportation Association (NATA) – The public policy group that represents the interests of the general aviation business community before the Congress and federal, state and local government agencies.
- (l) National Airspace System (NAS) – The airspace, navigation facilities, and airports of the United States (US) along with their associated information, services, rules, regulations, policies, procedures, personnel and equipment. It includes components shared jointly with the military.
- (m) National Plan of Integrated Airport Systems (NPIAS) – An inventory of significant US aviation infrastructure assets.
- (n) Part 77 Airspace (more fully, 14 CFR, Part 77) – That collection of imaginary surfaces surrounding an airport runway that establish standards and notification requirements for objects affecting safe aircraft navigation. This notification serves as the basis for evaluating the effect of the construction, facility alteration, or vegetative growth on airborne operating procedures surrounding the airport.
- (o) Specialized Aviation Service Operator (SASO) – Any person or organization who is authorized to conduct business by virtue of a contract with the County, but not engaged in business of an aviation nature within the scope of a Fixed Base Operator (FBO), or a local operation, as defined herein.
- (p) Universal Communication (UniCom) – A non-government air/ground radio communication facility which may provide Airport Advisory Services.

Sec. 3-3. Organization.

The Airport shall be assigned to the County Department of Public Works. It shall be managed by a designated General Manager who shall be a County Employee.

Sec. 3-4. Applicability.

Provisions of this ordinance apply to The Richland County Airport Commission, airport staff, the Fixed-Base Operator (FBO), Specialized Aviation Service Operators (SASOs), aeronautical and non-aeronautical businesses operating at the Airport, Airport tenants and their guests, and those planning to develop properties in close proximity thereto.

Secs. 3-5 – 3-6. Reserved for Future Use.

ARTICLE II. RICHLAND COUNTY AIRPORT COMMISSION

Sec. 3-7. In General.

The county council does hereby establish the Richland County Airport Commission to advise and assist the county council in providing public aviation facilities and services and to promote aviation as an efficient transportation mode and a means of broadening the economic base of Richland County.

Sec. 3-8. Composition; terms; officers; meetings.

- (a) The Richland County Airport Commission shall consist of ~~nine (9)~~ seven (7) commissioners to be appointed by the county council; provided, however, that at least two (2) of the appointees shall be designated as "Community Representatives" and reside within a two-mile radius of the Airport. An exhibit showing this area is contained in Appendix A to this Article.
- (b) The term of office of each commissioner shall be for a period of four (4) years or until his successor is appointed and qualified.
- (c) The commission shall elect a chairman each calendar year. The chairman shall be the executive head of the commission. The commission shall choose from among its members a vice chairman, a secretary, and a treasurer. The positions of secretary and treasurer may be combined into a single position by vote of the Commission.
- (d) The commission shall meet at such times and places as determined by the chairman, but shall hold at least one meeting every two months. The Airport General Manager shall serve as administrative assistant to the commission. All meetings of the commission shall be conducted in compliance with the South Carolina Freedom of Information Act (FOIA).
- (e) One or more members of the county council shall be assigned by the chairman of the county council as liaisons to the Airport Commission.

(Ord. No. 1788-88, § I, 9-20-88; Ord. No. 2162-91, § I, 12-3-91)

Sec. 3-9. Authority, duties, and responsibilities.

The commission shall have the following authority, duties, and responsibilities:

- (a) To advise the county council on the operation, maintenance, and development ~~and control~~ of the Jim Hamilton – LB Owens Airport and to recommend to the county council such rules and regulations for the operation of the airport as the commission shall deem advisable.
- (b) To control itself by the vote of a majority of those voting in meetings duly called and held. At all meetings of the commission a majority of its members shall constitute a quorum.
- (c) To adopt bylaws governing its operation, fixing the duties of its officers and their terms of office, and the method of handling its affairs. The bylaws shall not be in conflict with any laws governing the commission.
- (d) To review and approve initial applications for Commercial Aviation Operators and Flight Instruction operations.
- (e) To consider requests and appeals of tenants regarding continued hangar occupancy.

(Ord. No. 1788-88, § II, 9-20-88; Ord. No. 003-96HR, § I, 1-2-96)

Secs. 3-10 – 3-11. Reserved for Future Use.

ARTICLE III. FINANCE

Sec. 3-12. In General.

The Airport is a designated enterprise and shall, in accordance with Federal Aviation Administration (FAA) Grant Assurances, seek financial self-sustainment. It shall follow the County's Fiscal Year.

Sec. 3-13. Airport Fund.

The Airport Fund shall be established and maintained in accordance with the rules and accounting practices of government enterprises. County revenue generated through airport operations shall sustain this fund.

Sec. 3-14. Rates and Fees.

A master schedule of airport rates and fees shall be published annually in accordance with the County's budget process.

Sec. 3-15. Grants.

Federal and State Grant funding opportunities to promote the development and maintenance of the Airport consistent with the Airport Capital Improvement Plan (ACIP) and available local matching funds shall be utilized when appropriate.

Sec. 3-16. Hangar lease agreement.

Any person desiring to lease a hangar for the storage of an aircraft at the Jim Hamilton – LB Owens Airport may complete a standard hangar lease agreement supplied by the county and submit the same to the county's leasing agent. Such lease shall be subject to approval by council.

(Code 1976, § 7-1094; Ord. No. 457-77, 10-27-77; Ord. No. 003-96HR, § I, 1-2-96)

Sec. 3-17. Operating budget.

The Airport General Manager shall prepare, on a recurring basis, an Airport operating budget request as part of the County's budget process. This request shall be in accordance with guidance provided by the County Administrator.

Sec. 3-18. Funding.

The county council may appropriate and provide to the Airport Fund such sums of money as a majority of the county council may deem necessary for the purposes of the airport and its operation and maintenance.

(Ord. No. 1788-88, § III, 9-20-88)

Sec. 3-19 Hangar Security Deposits.

A security deposit equal in amount to one-month's rent at the time of the execution of the initial hangar lease shall be collected from the lessee by the leasing agent on behalf of the Airport Sponsor. These funds shall be maintained and accounted for by the Airport Sponsor. If all provisions of the lease are satisfactorily met at the time of termination of the lease, the original amount of the security deposit shall be promptly refunded to the lessee.

Sec. – 3-20. Reserved for Future Use.

ARTICLE IV. SERVICES

Sec. 3-21. In General.

The Airport shall offer appropriate aviation and support services in order to ensure the safety and efficiency of the flying public and those patrons using those facilities.

Sec. 3-22. Minimum Standards.

Airport Minimum Standards shall be developed and maintained in order to ensure the quality of operations, facilities, and services at the Airport.

Sec. 3-23. Fixed-Base Operator (FBO).

An FBO shall provide these required services on behalf of Airport tenants and patrons:

- (a) Administering Hangar and other Airport leases
- (b) Operation and Maintenance of the Airport Fuel Farm
- (c) Dispensing Aviation Fuel
- (d) Staffing the Airport Terminal during established hours of operation
- (e) Provide Aircraft Hangar pull-in and pull-out (tug) services for based Aircraft
- (f) Operate Aviation Band Radio Communications on an assigned UniCom / CTAF.
- (g) Removal of disabled aircraft within the Runway or Runway Safety Area (RSA) when authorized in order to restore Airport functioning

If consistent with the any Fixed-Based Operator Agreement with the Airport Sponsor, other optional services may be provided as well, as authorized by the Airport Commission and General Manager.

Sec. 3-24. Flight Training.

Flight Training provided by Certificated Flight Instructors (CFIs) may be offered at the airport as an optional service.

Sec. 3-25. Aircraft Fueling.

Aircraft Fueling may be provided by properly trained FBO Line Staff in accordance with current Fire Codes and NATA standards. Self-service fuel, if offered, may be provided to aircraft operators as well. This Section shall be applicable in the future to electrical charging of aircraft if available.

Sec. 3-26. Specialized Aviation Service Operator (SASO).

Additional aeronautical services may be provided to Airport tenants and patrons by SASO(s) authorized by the Airport General Manager and the Airport Commission in accordance with published Airport Minimum Standards.

Sec. 3-27. Weather.

The Airport shall make ground and facilities available for the placement by others of an automated weather station for the purpose of advising aircraft operators of current conditions.

Secs. 3-28 – 3-29. Reserved for Future Use.

ARTICLE V. AIRPORT OPERATIONS

Sec. 3-30. In General.

The Airport shall operate in a manner that promotes safety, efficiency, and long-term preservation of its efficacy.

Sec. 3-31. Rules & Regulations.

A comprehensive set of rules and regulations governing the operation of the Airport shall be maintained and published periodically as recommended by the Airport General Manager and the Airport Commission and approved by county council. These shall be incorporated into an *Airport Manual*.

Sec. 3-32. UniCom / CTAF License.

A license, issued by the Federal Communications Commission (FCC), to operate UniCom / CTAF in support of airport operations on a designated aviation band frequency shall be maintained by the Airport Sponsor.

Sec. 3-33. Clear Airspace and Obstructions.

Part 77 airspace surrounding the Airport shall be managed through the maintenance of Airport Overlay Districts (AODs) enacted by the County and the City. Any obstruction that penetrates this airspace shall be appropriately mitigated by removal or marking.

Sec. 3-34. Imaginary Surfaces.

Imaginary surfaces that make up Part 77 airspace include the following as specifically defined in the Code of Federal Regulations (CFR):

- (a) Primary Surface
- (b) Approach Surface (inner and outer)
- (c) Transitional Surface
- (d) Horizontal Surface
- (e) Conical Surface

Sec. 3-35. Avigation Easements.

Avigation easements may be obtained by the Airport Sponsor as a means of ensuring that it has the rights necessary to mitigate any obstruction.

Sec. 3-36. Airport Overlay Districts.

The County and the City shall enact Airport Overlay District (AODs) ordinances in order to ensure compatible surroundings to the Airport and its operation as well as associated Airspace.

Sec. 3-37. Noise Abatement.

The Airport shall maintain and promote voluntary noise abatement procedures as a means of promoting harmonious conditions with the Airport's neighboring commercial and residential communities.

Sec. 3-38. Prohibited Operations.

The following aircraft operations are prohibited at the airport:

- (a) Parachute Jumping – 14 CFR § 105.23 states (for airports without an operating Air Traffic Control Tower), “No person may conduct a parachute operation, and no pilot in command of an aircraft may allow a parachute operation to be conducted from that aircraft, over or onto any airport unless prior approval has been obtained from the management of the airport to conduct parachute operations over or on that airport.”
- (b) Stunt Flying or Aerobatics – No person shall operate an aircraft in a careless or reckless manner so as endanger the life or property of others by “buzzing”, diving, or low altitude flying.

Sec. 3-39. ARFF Support.

ARFF support shall be provided to the airport by the Richland – Columbia Fire Service. The Chief of the Fire Service shall maintain an adequate cadre of fire fighters available that have received ARFF training from the South Carolina Fire Academy or a like facility.

Sec. 3-40. Operating Motor Vehicles on the Airport.

No Privately Owned Vehicles (POV) shall enter the Airfield (including Runway 31 – 13, Taxiway A, and Stub Taxiways A-1 through A-5) without authorization from the Airport General Manager or, in his absence, senior Airport or FBO Staff. Unauthorized access by POVs or pedestrians is subject to issuance of a citation and a fine of \$,____. Parking is only authorized in designated areas.

Secs. 3-41 – 3-42. Reserved for future use.

ARTICLE VI. FACILITIES

Sec. 3-43. In General.

The Airport shall develop and maintain facilities necessary to ensure the safe, efficient, and financially beneficial operation of the Airport.

Sec. 3-44. Terminal.

A terminal building shall serve as the central location for Airport operations and base for airport staff and the FBO.

Sec. 3-45. Hangars.

Hangars for the storage of appropriately-sized aircraft may be developed, maintained, and leased. Revenue generated shall be deposited into the Airport Fund for the ongoing operation, maintenance, and development of the Airport. If demand for hangars exceeds availability, the Airport General Manager shall maintain a running hangar waiting list which will serve as a basis for assignment of hangars on a first come, first served basis as vacancies occur.

Sec. 3-46. Airfield.

The airfield, and all of its attendant improvements, shall be maintained in order to achieve safe and efficient aircraft operation commensurate with the assigned Airport Reference Code (ARC) of this Airport. The ARC for the airport at the time of publication is B-II.

Sec. 3-47. Planning and Development.

Planning and development of the Airport shall be in accordance with policies, procedures, and best practices promulgated by the Federal Aviation Administration (FAA), the South Carolina Aeronautics Commission (SCAC), and the Airport Sponsor. An Airport Master Plan, an Airport Layout Plan (ALP), and a Capital Improvement Plan (CIP) shall be maintained by the Airport General Manager and updated as needed from time to time. The services of an Airport Planning and Engineering Consultant may be engaged in order to assist in this effort.

Sec. 3-48. Construction and demolition of Airport Facilities.

Airport Facilities shall be constructed and demolished in accordance with the Airport CIP with the concurrence of the County Administrator. Development grant funds from the FAA, the SCAC, or other sources may be used for this purpose.

Secs. 3-49 – 3-50. Reserved for future use.

ARTICLE VII. TENANTS

Sec. 3-51. In General.

Tenants may be aircraft owners who are individuals, businesses, or joint owners. They may also be aeronautical or non-aeronautical businesses or groups promoting aviation.

Sec. 3-52. Hangar Tenants.

Hangars are developed and leased to tenants for the benefit of General Aviation (GA) operators and the safe and secure storage of their aircraft and associated accessories. Limitations may be placed on the continued use of hangars for the storage of aircraft that are not currently airworthy or flyable.

Sec. 3-53. Aviation Organizations.

Aviation organizations that provide education, fellowship, and advocacy also, directly or indirectly, support the operation, growth, and development of the Airport **consistent with the goals of Richland County Council**. They may be based at the Airport and provided meeting space based on availability and consistent with airport operations and fair market value in the case of leased space.

Sec. 3-54. Businesses (Aeronautical).

Aeronautical businesses may be an FBO, a SASO, or another business that functions directly to support the Airport or other aviation or aerospace industries. They may be based at the Airport under the provisions of a lease agreement or other contractual instrument approved by the county council. The Airport General Manager shall operate a system by which other Commercial Airport Operators, such as

vendors providing services on behalf of other tenants, are officially permitted and meet appropriate minimum standards.

Sec. 3-55. Businesses (non-Aeronautical).

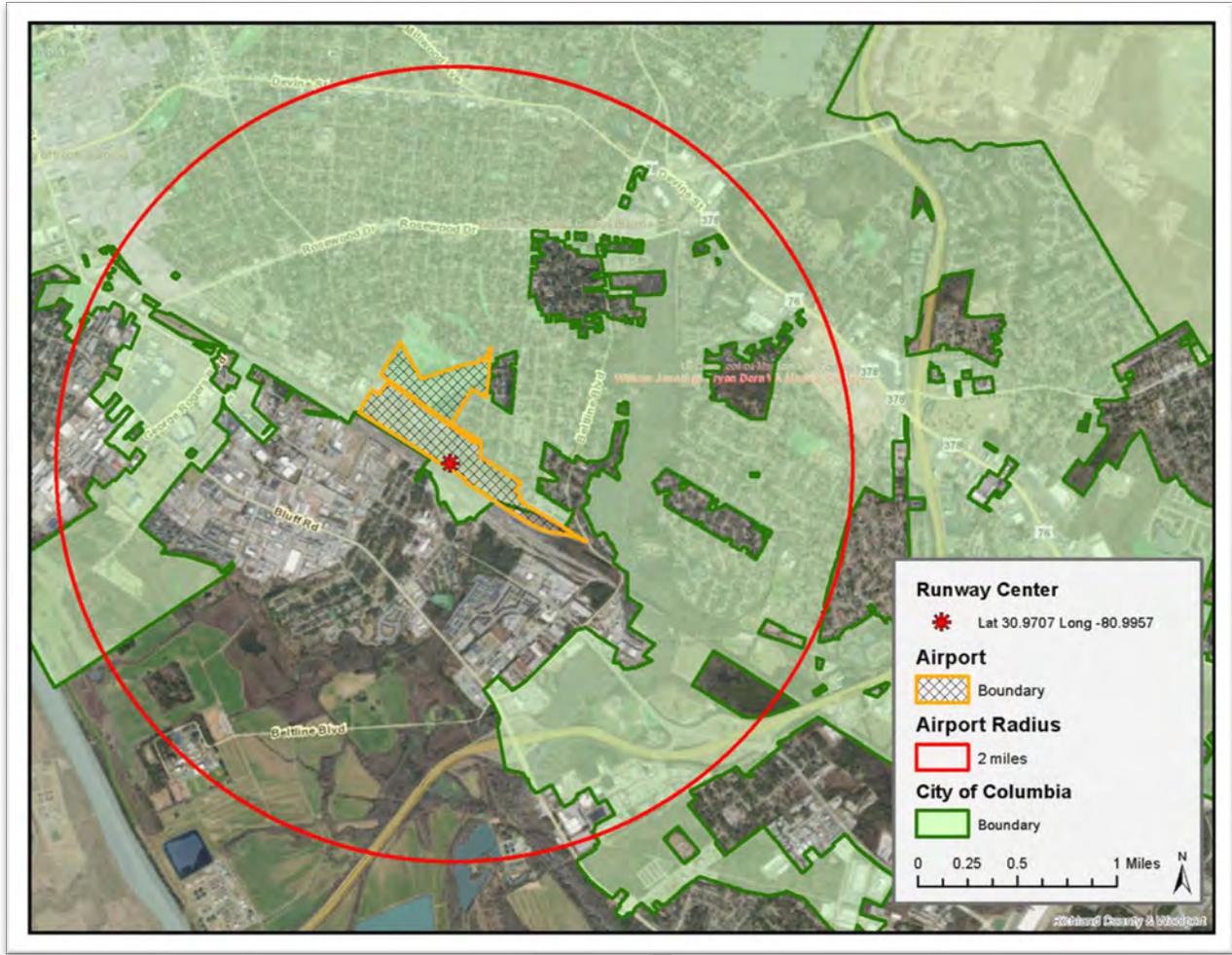
Non-aeronautical businesses may be based at the airport under the provisions of a lease agreement or other contractual instrument approved by the County Council. The Airport General Manager shall operate a system by which other Commercial Airport Operators, such as vendors providing services on behalf of other tenants, are officially permitted and meet appropriate minimum standards.

ARTICLE VIII. ENFORCEMENT

Sec. 3-55. In General.

The Airport General Manager shall be responsible for enforcing all rules and regulations contained herein and that may be established in the *Airport Manual*. Such enforcement shall be conducted in a fair, equitable, and non-discriminatory manner. The Airport General Manager shall be commissioned as a County Codes Enforcement Officer with authority limited to enforcement of this ordinance and regulations contained in the *Airport Manual* on Airport property and may issue citations for violations thereof.

Secs. 3-56 – 3-57. Reserved for future use.



Community Representative area (2-mile radius)

DRAFT

Appendix A