

RICHLAND COUNTY

ADMINISTRATION AND FINANCE COMMITTEE

AGENDA



TUESDAY DECEMBER 17, 2024

6:00 PM

COUNCIL CHAMBERS

Richland County Council 2024



Derrek Pugh
District 2
Vice Chair



Jason Branham
District 1



Gretchen D. Barron
District 7



Yvonne McBride
District 3



Paul Livingston
District 4



Allison Terracio
District 5



Don Weaver
District 6



Overture E. Walker
District 8



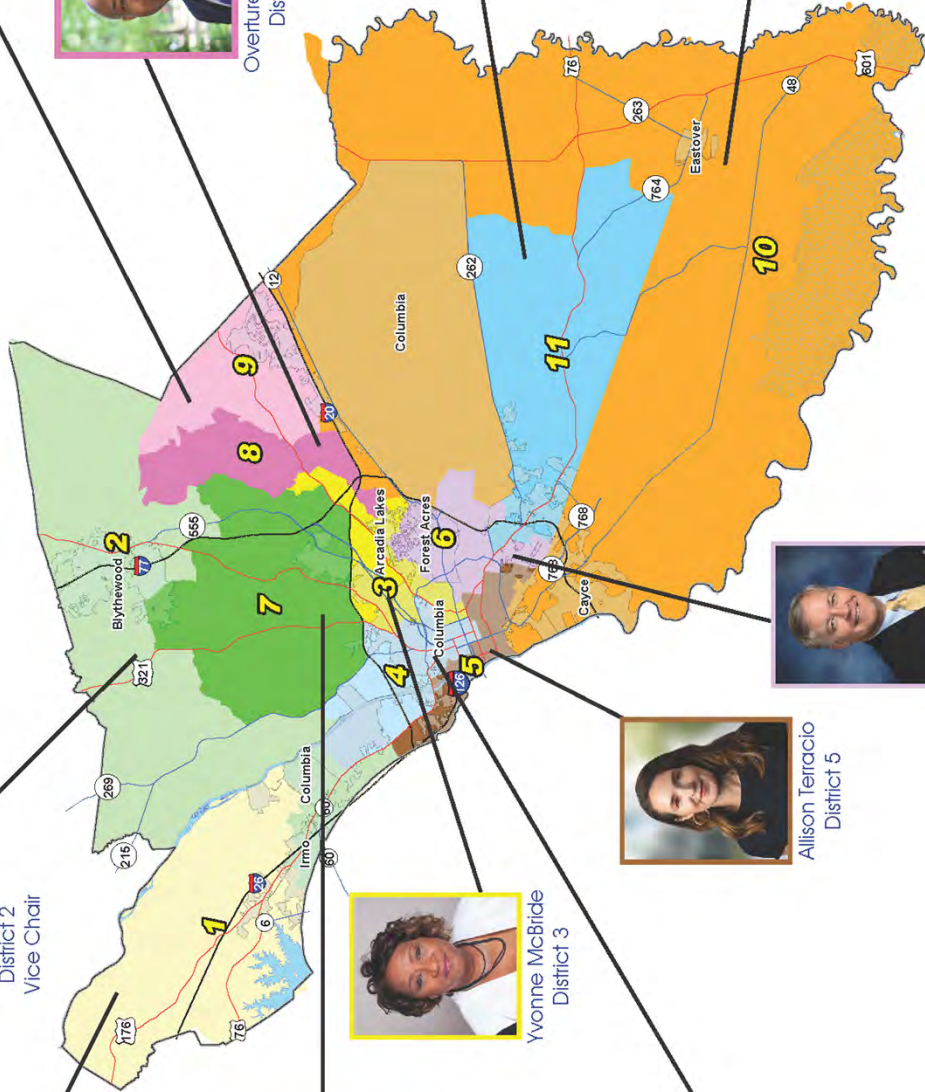
Chakisse Newton
District 11



Cheryl D. English
District 10



Jessica Mackey
District 9
Chair





**Richland County
Administration and Finance Committee**

AGENDA

December 17, 2024 - 6:00 PM
2020 Hampton Street, Columbia, SC 29204

The Honorable Derrek Pugh	The Honorable Yvonne McBride	The Honorable Paul Livingston	The Honorable Don Weaver	
County Council District 2	County Council District 3	County Council District 4	County Council District 6	

1. **CALL TO ORDER** The Honorable Paul Livingston
2. **APPROVAL OF MINUTES** The Honorable Paul Livingston
 - a. November 21, 2024 [\[PAGES 5-8\]](#)
3. **APPROVAL OF AGENDA** The Honorable Paul Livingston
4. **ITEMS FOR ACTION** The Honorable Paul Livingston
 - a. Upper Township Magistrate - Magistrate Pay Plan [\[PAGES 9-45\]](#)
5. **ITEMS FOR INFORMATION/DISCUSSION** The Honorable Paul Livingston
 - a. Department of Public Works – Solid Waste & Recycling – Area 1 Reallocation [\[PAGES 46-48\]](#)
 - b. Department of Public Works – Solid Waste & Recycling - Municipal Solid Waste Host Agreement [\[PAGES 49-51\]](#)
6. **ADJOURN** The Honorable Paul Livingston



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

November 21, 2024 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE COUNCIL MEMBERS PRESENT: Overture Walker, Chair; Derrek Pugh, Yvonne McBride, and Paul Livingston

NOT PRESENT: Don Weaver

OTHERS PRESENT: Chakisse Newton, Gretchen Barron, Cheryl English, Jason Branham, Ashiya Myers, Angela Weathersby, Anette Kirylo, Patrick Wright, Ashley Fullerton, Kyle Holsclaw, Jackie Hancock, Leonardo Brown, Jennifer Wladischkin, Tamar Black, Stacey Hamm, Aric Jensen, Michelle Onley, Kenny Bowen, Michael Byrd, Maddison Wilkerson, Bill Davis, and Michael Maloney

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.

2. **APPROVAL OF MINUTES**

a. **October 22, 2024** – Ms. McBride moved to approve the minutes as distributed, seconded by Mr. Livingston.

In Favor: Pugh, McBride, Livingston, and Walker

Not Present: Weaver

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. McBride moved to adopt the agenda as published, seconded by Mr. Pugh.

In Favor: Pugh, McBride, Livingston, and Walker

Not Present: Weaver

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

a. **Utilities – Cedar Cove and Stoney Point Phase 1 Tank Cleaning Project** – Mr. Bill Davis, Utilities Director, stated Cedar Cove neighborhood has system developers gave us years ago. Due to the age of concrete tanks and residents not cleaning the tanks, they are not up to today's standards. This necessitates the Utilities Department having to pump out these tanks. He noted they tried to bid the whole job, but it came in three times the value due to the shortage of supplies and labor. They broke the project into three phases, with this being the first phase. The upstream houses were cleaned to prevent solids from building up downstream where the problem is. The second phase will replace all the bottom houses with up-to-date sewer systems. Phase 3 will extend the system, if necessary, up to the houses we are cleaning today.

b. **Utilities – Jetter Truck Purchase** – Mr. Davis noted when there are clogs in the 4-inch and 6-inch lines coming out of people's houses, it is difficult for them to contract that work out. If the Utilities Department has its own Jetter, they can run it through the line and clean it out. He noted it is a costly investment, but it will pay for itself in approximately four years and is worth the investment.

Mr. Pugh moved to forward a recommendation to Council to approve a contract for J. D. Powers to perform the Tank Cleaning for up to 68 selected solid tanks in the Cedar Grown neighborhoods. In addition, we recommend the purchase of the USJ/Vactor Ramjet 4025-750 Skid-Mounted High-Pressure

Jetting Unit from Joe Johnson Equipment to help maintenance staff with work orders and repairs of the Utilities sewer collection system. Ms. McBride seconded the motion.

In Favor: Pugh, McBride, Livingston, and Walker

Not Present: Weaver.

The vote in favor was unanimous.

- c. Department of Public Works – Solid Waste – Residential Roll Carts – Mr. Michael Maloney, Public Works Director, noted the current supplier is at-will. This item will establish a much-needed contract system. The County will realize a cost reduction from \$61.24 to \$54.86 per roll cart. The recommendation is to award the contract to Otto Environmental Systems to supply residential roll carts for the curbside collection program.
- d. Department of Public Works – Engineering – Award of Construction – Fashion/Forum/St. Andrews Road Rehabilitation – Mr. Maloney stated Public Works recommends the award of contract to Armstrong Contractors for the resurfacing of Fashion Drive/Forum Drive/Market Place Commons in the Village of Sandhills and the rehabilitation of St. Andrews Road east of Broad River Road. The total bid is \$2,222,000, with a 15% contingency for a total approved amount of \$2,555,300. This joint effort is between Richland County and the County Transportation Committee (CTC). The C-Fund includes \$908,319.45 for Fashion Drive and \$390,100.96 for Forum Drive. The Road Maintenance Fund will provide an additional \$61,839.26 for Fashion Drive/Market Place Commons, \$491,620.66 for Forum Drive, and \$370,119.67 for St. Andrews Road/Meadowland Court. He pointed out a sidewalk on St. Andrews Road will also be constructed.

Ms. Mackey inquired if the Sandhills portion has an approximate start time and completion date.

Mr. Maloney indicated the pre-construction meeting is typically scheduled after the contract is awarded. Once the meeting is held, he can provide a timeline to Council.

Mr. Walker inquired if the rehabilitation of Forum Drive and Fashion Drive is in their entirety or is it stretches.

Mr. Maloney replied it is a complete resurfacing of those roads.

Mr. Walker suggested providing ample notice to the public before we begin these projects.

Mr. Pugh moved to forward a recommendation to the Council to award Otto Environmental Systems the contract for the Residential Roll Cart Purchase Agreement to supply residential garbage and recycling roll carts essential to the curbside collection program. In addition, to award Armstrong Contractors a contract for the resurfacing of Fashion Drive/Forum Drive/Market Place Commons in the Village of Sandhills and the rehabilitation of St. Andrews Road east of Broad River Road for \$2,222,000, with a 15% contingency, for a total approved amount of \$2,555,300. Ms. McBride seconded the motion.

In Favor: Pugh, McBride, Livingston, and Walker

Not Present: Weaver

The vote in favor was unanimous.

- e. Treasurer's Office – Forestry Funds Disbursement – Mr. Brown stated, the Richland County Treasurer has received Federal Forestry Funds from the Office of the State Treasurer. Council is requested to approve a resolution to distribute these funds. Federal Forestry Funds are generated based on a portion of the net proceeds generated by the sale of forest products extracted from McEntire Air Force Base and other military installations located within Richland County. The total amount of funds is \$24,654.32. Note: These dollars are not received annually.

"Prior to the 2023 allocation, Council allocated 100% of forestry funds to public roads in 2021. In 2011, 2012, 2014, 2017, and 2018, Council allocated 50% of the funds to public schools and the remaining

50% to public roads. If Council should proceed with the 50/50 split, the amounts per School District will be as follows:

<u>School District</u>	<u>Number of Students</u>	<u>Allocation</u>
<u>Richland School District One</u>	<u>*22,037</u>	<u>\$3,994.32</u>
<u>Richland School District Two</u>	<u>*28,510</u>	<u>\$5,167.58</u>
<u>Richland / Lexington School District Five</u>	<u>**17,463</u>	<u>\$3,165.26</u>
<u>Public Roads</u>		<u>\$12,327.16</u>

Ms. McBride inquired who determines the public roads and whether the funding would go through the Transportation Department.

Mr. Brown replied Council would make the final decision on the public roads.

Ms. McBride stated, for clarification, that once the funds are allocated to the school district(s), there is no feedback regarding how the funds were spent.

Mr. Brown responded in the affirmative.

Ms. McBride moved to forward a recommendation to Council to allocate 50% to Richland School District One, Richland School District Two, and Richland/Lexington School District Five, to be apportioned according to the respective student population of each school district, and 50% to be transferred to the General Fund to be used for the construction and/or improvements of public roads within the County, seconded by Mr. Livingston.

In Favor: Pugh, McBride, Livingston, and Walker

Not Present: Weaver

The vote in favor was unanimous.

- f. I move that 15% of each prior year's collections of accommodations tax be allocated for affordable housing in alignment with Sect. 6-1-530(7) of the SC Code of Laws, workforce housing and home ownership promotion requirement, and Act 57 of 2023's "mortgage assistance" requirement. This allocation is to directly focus on down payment assistance for homeownership for Richland County employees, public safety, EMS, and Richland One and Two teachers. [MACKEY, BARRON, and TERRACIO – September 10, 2024] – Ms. Maddison Wilkerson, Budget Director, stated there are seven (7) approved uses for local accommodations tax. One of which is the development of workforce housing. She noted the use has an expiration date of December 31, 2030. Historically, the County has not allocated accommodations tax for this purpose. The recommendation is to allocate \$97,148.00 from the State Accommodations Tax and \$222,121.00 from the Tourism Development Fee fund balances.

Mr. Livingston inquired if the Tourism Development Fee is what the County utilizes to pay for the Convention Center.

Ms. Wilkerson responded in the affirmative. She pointed out the bond had been paid off, and during the last two (2) budget cycles Council has voted to provide approximately half of the funding.

Ms. McBride inquired if the funds would only be available to purchase homes in Richland County.

Ms. Mackey indicated that her motion was intended to provide homeownership assistance for District One and Two teachers, public safety employees, and Richland County Government employees. It was not intended to limit where these individuals purchased their homes.

Ms. McBride stated she is concerned about using taxpayer funds outside of Richland County. She believes the funds should be used to expand and improve the county's housing.

Mr. Branham requested to include Lexington/Richland District Five teachers who teach in schools located within Richland County.

Mr. Livingston moved to forward a recommendation to Council to approve using 15% of each prior year's Accommodations Tax collections for down payment assistance for homeownership for public safety, EMS, Richland County employees, and District One and Two teachers, seconded by Mr. Walker.

The County Attorney, Patrick Wright, mentioned this item will need to be discussed in Executive Session when Council takes it up.

In Favor: Pugh, Livingston, and Walker

Opposed: McBride

Not Present: Weaver

The vote was in favor.

5. **ADJOURNMENT** – Mr. Pugh moved to adjourn the meeting, seconded by Mr. Livingston.

In Favor: McBride, Pugh, Livingston, and Walker

Not Present: Weaver

The vote in favor was unanimous.

The meeting adjourned at approximately 6:31 PM.

RICHLAND COUNTY ADMINISTRATION

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



Agenda Briefing

Prepared by:	Tomothy Edmond	Title:	Magistrate
Department:	Magistrate	Division:	Summary Courts/Upper Township
Date Prepared:	December 3, 2024	Meeting Date:	December 17, 2024
Legal Review	Patrick Wright via email	Date:	December 5, 2024
Budget Review	Maddison Wilkerson via email	Date:	December 6, 2024
Finance Review	Stacey Hamm via email	Date:	December 5, 2024
Approved for consideration:		County Administrator	Leonardo Brown, MBA, CPM
Meeting/Committee	Administration & Finance		
Subject	Magistrate Pay Plan		

RECOMMENDED/REQUESTED ACTION:

Tomothy Edmond – Summary Court Judge recommends approving the salary increases for Richland County Magistrates based on the “Richland County Departmental Compensation Plan.”

Richland County Magistrates are currently compensated based on a formula derived from a pay plan, which was most recently updated during the 2015-2016 fiscal year. The South Carolina Legislators decoupled the Magistrates under this County pay plan policy; full time magistrate judges’ salaries are 75% of a Circuit Court judge’s salary. During the 2019th legislative session, the General Assembly passed a pay increase for Circuit Court judges, raising their salary from approximately \$143,000 to \$188,000. This request has been in committee since 2019. In 2024, a current Circuit Court judge’s salary is \$217,574. Therefore, a full-time four-year magistrate judge’s salary would increase from approximately \$123,606.65 to \$163,180.50.

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 checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Under S.C. Code Ann. § 14-1-200, Circuit Court judges are paid 95% of the pay of a Supreme Court Associate Justice. The Chief Justice of the Supreme Court is paid 105% of what an Associate Justice of the Supreme Court is paid.

When this action was filed in 2019 under the 2019-2020 General Appropriations bill, the Chief Justice made a salary of \$208,000. An Associate Justice made \$198,095, and a Circuit Court judge made 95% thereof, which is \$188,190.25.

2024 Salaries	
Chief Justice	\$267,000
Associate Justice	\$255,300
Circuit Court Judge	\$217,574.25

Applicable fund, cost center, and spend category: not provided

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable

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

The County Attorney's Office will provide feedback in Executive Session.

REGULATORY COMPLIANCE:

SECTION 14-1-200. Establishment of salaries of Supreme Court Justices, Court of Appeals, Circuit Court, and Family Court judges.

The General Assembly shall establish the salary of the Chief Justice and Associate Justices of the Supreme Court in the annual general appropriation act with the salary of the Chief Justice to be one hundred five percent of the salary fixed for Associate Justices of the Supreme Court and shall fix the salaries for the court of appeals, circuit court, and family court according to the following schedule:

- (1) The chief judge of the court of appeals shall receive a salary in an amount equal to ninety-nine percent of the salary fixed for Associate Justices of the Supreme Court;
- (2) Judges of the court of appeals shall receive a salary in an amount equal to ninety-seven and one-half percent of the salary fixed for Associate Justices of the Supreme Court, and circuit court judges shall receive a salary in an amount equal to ninety-five percent of the salary fixed for Associate Justices of the Supreme Court;
- (3) Judges of the family court shall receive a salary in an amount equal to ninety-two and one-half percent of the salary fixed for Associate Justices of the Supreme Court.

MOTION OF ORIGIN:

There is no associated Council motion of origin; however, minutes from the 2020 consideration of this matter have been included for historical context.

STRATEGIC & GENERATIVE DISCUSSION:

In 1998, Richland County passed their first pay plan with regards to how magistrate judges would be compensated. Based on South Carolina law, all magistrates are to be compensated by their county based on a formula tied to a Circuit Court judge's salary. In the largest counties, which includes Richland, the baseline amount to be paid is 54% of a Circuit Court salary. However, all counties are allowed to pay above this baseline. Richland County has agreed to pay above this baseline since 1998. In the most recent pay compensation plan, Richland County has agreed to pay 75% of a Circuit Court salary.

Unlike many other counties across our state, Richland County is a leader in compensating and funding our magistrate court system. At every annual conference, judges across the state call Richland the "envy" of the magistrates system and what every magistrate system hopes to achieve. This is reflected in our Central Court located on Decker Blvd. This court has nine separate court rooms, mediation rooms, offices for the public defender and solicitor, and many more accommodations. Twice a month, hundreds of Richland County jurors are called to serve and witness firsthand the impact of a fully funded and first-rate magistrate system.

Richland County has not only invested heavily in the court infrastructure, but also the compensation to our 22 magistrate judges, and it reflects. The high compensation for these positions brings out some of the most qualified judges who seek these positions. As a core government function, the court is able to operate in state-of-the-art facilities with knowledgeable and respected judges. The compensation of these judges has a direct impact on the community and the interaction between citizens and the government.

Just the past, the Post and Courier did an expose on the magistrate court system throughout our state and it was not kind. The article described the system as "corrupt" and "incompetent." The article also pointed out that many counties have been, and will be, sued by the ACLU for not protecting defendant's rights. Fortunately, the current Richland County Magistrate system was not in this article, and not by coincidence. Former Chief's Magistrate Simons, Edmond and the current Chief Magistrate Stroman have worked to make sure that our court system is always in compliance with Court Administration and the Supreme Court. Quite often Court Administration will call on Richland County Magistrates to handle cases outside of our jurisdiction when there is a conflict.

In sum, the salary compensation is a direct investment in a fundamental service to the citizens.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Upon review by the Office of Budget and Grants Management and the Finance Department, staff noted areas which require further investigation, as the request has annual budgetary impacts to include, but not limited to, salary, FICA, and retirement. Additionally, review by these departments does not indicate their endorsement of the information as currently provided.

ATTACHMENTS:

1. Salary Increase Numbers
2. Richland County Departmental Compensation Plan (2013)
3. Richland County Departmental Compensation Plan (2015-2016)
4. South Carolina Code 14-1-200
5. Court Administration email
6. Special Called – Budget 3rd Reading
7. Email from Previous HR Director on his interpretation to then Asst, County Administrator 2019
8. 2020 Agenda Briefing and associated Meeting Minutes

Under S.C. Code Ann. § 14-1-200, Circuit Court judges are paid 95% of what an Associate Justice of the Supreme Court is paid. The Chief Justice of the Supreme Court is paid 105% of what an Associate Justice of the Supreme Court is paid.

Under the 2019-2020 General Appropriations bill, the Chief Justice makes a salary of \$208,000. An Associate Justice makes \$198,095. So a Circuit Court judge makes 95% of \$198,095 which is \$188,190.25.

Salaries:

- Chief Justice: \$208,000
- Associate Justice: \$198,095
- Circuit Court Judge: \$188,190.25

SECTION 14-1-200. Establishment of salaries of Supreme Court Justices, Court of Appeals, Circuit Court, and Family Court judges.

The General Assembly shall establish the salary of the Chief Justice and Associate Justices of the Supreme Court in the annual general appropriation act with the salary of the Chief Justice to be one hundred five percent of the salary fixed for Associate Justices of the Supreme Court and shall fix the salaries for the court of appeals, circuit court, and family court according to the following schedule:

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- (3) Judges of the family court shall receive a salary in an amount equal to ninety-two and one-half percent of the salary fixed for Associate Justices of the Supreme Court.

S.C. Code Ann. § 14-1-200

~~Current~~
6/15

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
TITLE: Magistrate Supplemental Pay Plans	Number: 2
EFFECTIVE DATE: 07/01/2013	Page: 1 of 3
REVISION DATE: 07/03/2013	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

POLICY:

To establish pay plans for Richland County magistrates, subject to appropriations by Council in the Richland County Budget Ordinance.

PROCEDURE:

1. As of July 1, 1998, a full-time magistrate with a two year associate degree or four year Bachelors degree and having obtained four (4) years judicial experience or having a total of twelve (12) years judicial experience as an equivalent shall be paid at a salary rate of sixty percent (60%) of that of a Circuit Court Judge's salary of this state. A newly appointed magistrate would progress to the full time rate as follows:
 - 1.1. A newly appointed magistrate with a four (4) year Bachelor degree should be paid according to the "A" scale below. The term "Newly Appointed" for scale "A" means a person with a Bachelor degree never before serving as a magistrate for his/her first four year term or the remainder of an unexpired term of a former magistrate. A newly appointed magistrate does not have the requisite experience.
 - 1.2. A newly appointed magistrate without a four (4) Bachelor degree shall be paid according to the "B" scale below. The term newly appointed for the purposes of "B" scale means a person who meets the state minimum requirement and does not have a bachelor degree and does not have the requisite experience.
2. **SCALE (A)**
 - 2.1. Upon first appointment a magistrate with a four year Bachelors degree shall be paid forty eight percent (48%) of the a circuit court judge for South Carolina.
 - 2.2. Upon completion of the orientation school sponsored by the South Carolina Court Administration and certification by the Magistrate Board of Certification, a newly appointed magistrate shall be paid fifty four percent (54%) of a circuit court judge for South Carolina.
 - 2.3. Upon completion of the anniversary of the second year as a magistrate, the magistrate shall be paid fifty seven percent (57%) of a circuit court judge for South Carolina;
 - 2.4. Upon completion of the anniversary of the third year in office, year as a magistrate, the magistrate shall be paid sixty percent (60%) of a circuit court judge of South Carolina;

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
TITLE: Magistrate Supplemental Pay Plans	Number: 2
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- 2.5. Upon completion of the anniversary of the fourth year in office, a magistrate shall be paid at a rate designated in section 1 above; that is sixty six percent (66%) of the rate of salary of circuit judge of the state.

3. SCALE B

- 3.1. Upon initial appointment the magistrate shall be paid at the state base rate.
- 3.2. Upon the second (2nd) anniversary the magistrate shall be paid at a rate of forty percent (40%) of a circuit judge's salary.
- 3.3. Upon the forth (4th) anniversary the magistrate shall be paid at rate of forty four percent (44%) of a circuit judge's salary.
- 3.4. Upon the sixth (6th) anniversary the magistrate shall be paid at a rate of forty eight (48%) of a circuit judge's salary.
- 3.5. Upon the eighth (8th) anniversary the magistrate shall be paid at the rate of fifty two percent (52%) of a circuit judge's salary.
- 3.6. Upon the tenth (10th) anniversary the magistrate shall be at the rate of fifty six percent (56%) of a circuit judge's salary.
- 3.7. Upon the twelfth (12th) anniversary the magistrate shall be paid at a rate of sixty (60%) percent of a circuit judge's salary.
4. The annual salary adjustment for a magistrate will be the normal progression as outlined in Scale A and Scale B. Once the adjustment under Scale A and B has been achieved, any subsequent adjustments will be consistent with those of a circuit court judge. This will be inclusive of any cost of living adjustments given to State employees.
5. Magistrate and ministerial magistrates shall have the same perquisite as those employees of the County of similar position and salary.
6. Any part-time magistrate or ministerial magistrate shall be paid a prorated salary based on hours worked and length of service.
7. A full-time Chief Magistrate for administrative purposes shall be paid a yearly stipend of five thousand dollars (\$5,000.00) for such added responsibilities as require by such position and such stipend shall be forfeited when that person is no longer Chief Magistrate for administrative purposes for the county.

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
TITLE: Magistrate Supplemental Pay Plans	Number: 2
EFFECTIVE DATE: 07/01/2013	Page: 3 of 3
REVISION DATE: 07/03/2013	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

8. As a participant in the criminal justice system, each magistrate shall be assigned to the Police Officers retirement System (PORS) with the county contributing the full employer portion.
9. Magistrates requesting to be converted to PORS will have conversion funds contributed by the County equal to the amount due for the time served as a magistrate. Any other State retirement years required to be converted will be at the individual's expense.

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
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PROCEDURE:

1. As of July 1, 1998, a full-time magistrate with a two year associate degree or four year Bachelors degree and having obtained four (4) years judicial experience or having a total of twelve (12) years judicial experience as an equivalent shall be paid at a salary rate of sixty percent (60%) of that of a Circuit Court Judge's salary of this state.
2. A newly appointed magistrate would progress to the full time rate as follows
 - 2.1. A newly appointed magistrate with a four (4) year Bachelor degree should be paid according to the "A" scale below. The term "Newly Appointed" for scale "A" means a person with a Bachelor degree never before serving as a magistrate for his/her first four year term or the remainder of an unexpired term of a former magistrate. A newly appointed magistrate does not have the requisite experience.
 - 2.2. A newly appointed magistrate without a four (4) Bachelor degree shall be paid according to the "B" scale below. The term newly appointed for the purposes of "B" scale means a person who meets the state minimum requirement and does not have a bachelor degree and does not have the requisite experience.

3. SCALE (A)

- 3.1. Upon first appointment a magistrate with a four year Bachelors degree shall be paid forty eight percent (48%) of the a circuit court judge for South Carolina.
- 3.2. Upon completion of the orientation school sponsored by the South Carolina Court Administration and certification by the Magistrate Board of Certification, a newly appointed magistrate shall be paid fifty four percent (54%) of a circuit court judge for South Carolina.
- 3.3. Upon completion of the anniversary of the second year as a magistrate, the magistrate shall be paid fifty seven percent (57%) of a circuit court judge for South Carolina;
- 3.4. Upon completion of the anniversary of the third year in office, year as a magistrate, the magistrate shall be paid sixty percent (60%) of a circuit court judge of South Carolina;

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PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

3.5. Upon completion of the anniversary of the fourth year in office, a magistrate shall be paid at a rate designated in section 1 above; that is sixty six percent (66%) of the rate of salary of circuit judge of the state.

4. SCALE B

4.1. Upon initial appointment the magistrate shall be paid at the state base rate.

4.2. Upon the second (2nd) anniversary the magistrate shall be paid at a rate of forty percent (40%) of a circuit judge's salary.

4.3. Upon the forth (4th) anniversary the magistrate shall be paid at rate of forty four percent (44%) of a circuit judge's salary.

4.4. Upon the sixth (6th) anniversary the magistrate shall be paid at a rate of forty eight (48%) of a circuit judge's salary.

4.5. Upon the eighth (8th) anniversary the magistrate shall be paid at the rate of fifty two percent (52%) of a circuit judge's salary.

4.6. Upon the tenth (10th) anniversary the magistrate shall be at the rate of fifty six percent (56%) of a circuit judge's salary.

4.7. Upon the twelfth (12th) anniversary the magistrate shall be paid at a rate of sixty (60%) percent of a circuit judge's salary.

5. The annual salary adjustment for a magistrate will be the normal progression as outlined in Scale A and Scale B. Once the adjustment under Scale A and B has been achieved, any subsequent adjustments will be consistent with those of a circuit court judge. This will be inclusive of any cost of living adjustments given to State employees.
6. Magistrate and ministerial magistrates shall have the same perquisite as those employees of the County of similar position and salary.
7. Any part-time magistrate or ministerial magistrate shall be paid a prorated salary based on hours worked and length of service.
8. A full-time Chief Magistrate for administrative purposes shall be paid a yearly stipend of five thousand dollars (\$5,000.00) for such added responsibilities as require by such position and such stipend shall be forfeited when that person is no longer Chief Magistrate for administrative purposes for the county.

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PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

9. As a participant in the criminal justice system, each magistrate shall be assigned to the Police Officers retirement System (PORS) with the county contributing the full employer portion.

10. Magistrates requesting to be converted to PORS will have conversion funds contributed by the County equal to the amount due for the time served as a magistrate. Any other State retirement years required to be converted will be at the individual's expense.

REPLACES PAY PLAN EFFECTIVE AS OF JULY 1 1998 & 2013

POLICY

To establish pay plan for Richland County Magistrates subject to appropriations by the Council in the Richland County Budget Ordinance FY 2015 – 2016

PROCEDURE

1. Effective July 1, 2015 a full time magistrate meeting state qualifications or having obtained four (4) years judicial experience shall be paid at a rate of **seventy-five percent (75%)** of a Circuit Court Judge's salary of this state. Future salary adjustments shall be the same as salary adjustments, including cost of living adjustments, for all other Richland County employees. A newly appointed magistrate would progress to the full time salary rate as follows:

Newly Appointed Magistrate means a person meeting state qualifications and never before serving as a magistrate during the first four years in office.

- A. Upon first appointment a newly appointed magistrate shall be paid seventy-five percent (75%) of a full-time Richland County's magistrate's salary as in one (1) above;
- B. Upon completion of the orientation school sponsored by the South Carolina Court Administration and certification or exemption by the Magistrate Board of Certification a newly appointed magistrate shall be paid eighty percent (80%) of a full-time Richland County magistrate's salary as in one (1) above;

- C. Upon completion of the anniversary second year as a magistrate, the first term magistrate shall be paid eighty-five percent (85%) of a full-time Richland County magistrate's salary as in one (1) above;
 - D. Upon completion of the anniversary of the third year in office a first term magistrate shall be paid ninety percent (90%) of a full-time Richland County magistrate's salary as in one (1) above;
 - E. Upon completion of the anniversary of the fourth year in office and thereafter a full-time magistrate shall be paid the same salary as other full-time magistrates who have served for four years or more in Richland County.
-
- 2. Magistrates and ministerial magistrates shall have the same perquisites as those Richland County employees of similar position.
 - 3. Any part-time magistrate or ministerial magistrate shall be paid a prorated salary based on hours worked and length of service as set out in A through E above.
 - 4. A full-time Chief Magistrate for administrative purposes shall be paid a yearly stipend of five thousand dollars (\$ 5000.00) for such added responsibilities as required by such a position and such stipend shall be forfeited when that person is no longer Chief Magistrate for administrative purposes for the county.
 - 5. As a participant in the criminal justice system, each magistrate shall be assigned to the Police Officers Retirement System (PORS) of South Carolina with the County contributing the full employer portion. A Newly Appointed Magistrate may elect in writing to remain in the State Retirement System should the person have prior service credits there.

RICHLAND COUNTY COUNCIL

S O U T H C A R O L I N A

Special Called - Budget 3rd Reading
June 22, 2015
Page Eleven

The vote in favor was unanimous.

Outside Agencies: Move to fund Midlands Mediation Center at prior year amount of \$20,000 - This item was withdrawn.

All Regional Magistrates, Administrative Magistrate, and District Magistrate: Move that all budget recommendations be amended to include an increase in the salary of the magistrate to 75% of a circuit judge's salary. This will result in an 11.94% salary adjustment from 67% to 75% of a circuit judge's salary for 15 full time and 3 part-time magistrates. Total payroll increase will be \$218,000 - Mr. Livingston moved, seconded by Mr. Jackson, to support the proposal for \$218,000; reduce the Detention Center budget by \$218,000 and request the Administrator to evaluate the savings realized by these changes.

Mr. Livingston stated that if the changes do not realize a cost savings then the "pilot program" will be terminated.

Mr. Pearce inquired if the magistrate's salary can be temporarily adjusted.

Mr. Smith stated the State statute states that you cannot reduce the salary of a magistrate while they are in office.

Mr. McDonald stated from a programmatic standpoint the concept is good if the County can do so as a pilot program and review after a year.

Mr. Pearce inquired if the Chief Magistrate has the ability to voluntarily waive the statute in order to institute the pilot program.

Mr. Smith stated the statute cannot be waived.

Mr. Rose requested a friendly amendment to approve this item contingent upon Administration and Legal being able to structure the pilot program whereby if the program ceased the funding would ceased as well.

Mr. McDonald suggested earmarking the funds in the Detention Center budget and to allow Legal and Administration to work on the salary issue. If the logistics of salaries can be work out, then move the funds to the appropriate budget for expenditure.

Mr. Malinowski inquired if the costs would increase on items ordered by the Detention Center if the inmate population were to decrease and to research the option of utilizing "Skype" and/or other online services to reduce personnel costs.

The vote in favor was unanimous.

All Regional Magistrates, Administrative Magistrate, and District Magistrate: Move to revise the County Bond Court processes to a 24 hour operation. This change



From: DWIGHT HANNA
Sent: Thursday, June 6, 2019 4:23 PM
To: LARRY SMITH <SMITH.LARRY@richlandcountysc.gov>
Cc: JOHN THOMPSON <THOMPSON.JOHN@richlandcountysc.gov>; SANDRA YUDICE <YUDICE.SANDRA@richlandcountysc.gov>; Tomothy Edmond <Edmond.Tomothy@richlandcountysc.gov>; STACEY HAMM <HAMM.STACEY@richlandcountysc.gov>; JAMES HAYES <HAYES.JAMES@richlandcountysc.gov>
Subject: Increase Magistrate Pay

Good Afternoon Mr. Smith,

This afternoon Dr. Yudice said she talked with Council Member Myers and she is requesting a legal opinion on Magistrate pay increases. I have been informed the SC Legislature recently passed a 33% increase for Circuit Judges salaries. And unless the Magistrates are excluded, the appropriate increase would be applicable to the Magistrates at the appropriate time. I am waiting on confirmation from Court Administration regarding to if and how the Circuit Judges pay increase will be applicable to Magistrates.

I know you are familiar with the SC Code of Laws, but I have copied and highlighted a few sentences for your easy reference. In addition, I have included a copy of the State Magistrate Salary Schedule.

In addition, you will see some emails below but I am just generally outlining what I understand to be the SC Code of Laws and action of Council from 1998 as I recall.

Dwight

From: DWIGHT HANNA
Sent: Thursday, June 6, 2019 8:58 AM
To: JAMES HAYES <HAYES.JAMES@richlandcountysc.gov>
Cc: JOHN THOMPSON <THOMPSON.JOHN@richlandcountysc.gov>; SANDRA YUDICE <YUDICE.SANDRA@richlandcountysc.gov>; Tomothy Edmond <Edmond.Tomothy@richlandcountysc.gov>; STACEY HAMM <HAMM.STACEY@richlandcountysc.gov>
Subject: Re: Increase Magistrate Pay

Good Morning Mr. Hayes,

My prior email was more so to respond to your questions and explain the normal process. As I noted, "properly approved increases". This is why I am confirming with SC Court Administration exactly what was approved for what jobs.

As it relates specifically for the increases this year, I don't know what the Magistrate increases will be. For example, as I understand the Circuit Judges pay was approved in a proviso vs. how normally done. In addition, I understand there maybe a 2% increase for State employees. Consequently, there is some question about whether the Magistrates get the 33%, 33% + 2%, and/or if there was any unique (I don't recall this ever being done before the SC Legislature can do) exclusion for one or both.

As I mentioned earlier, I had reached out to the SC Court Administration to get confirmation and details nailed down. I made a follow up call to Court Administration this morning and they are still trying to sort out exactly what the SC Legislature approved regarding pay for Circuit Judges and Magistrates. One

question for example, if whether they get the 2% and the 33% increase. And when I asked when will they know, they could not give me a date. And the person I talked to has probably worked with Court Administration about 30 years.

So in summary, the increase could be 2%, 33%, 35%, or 0% - if there was some unusual exclusion included for Magistrates somewhere. And because SC Court Administration does not yet know - I am not able to say definitely. I have a promise from SC Court Administration to be alerted as soon as they know. And I will promptly let you and Administration know.

T. Dwight Hanna, IPMA-SCP, CCP, SHRM-SCP, CBP, ADAC

Director of Human Resource Services Department

Richland County Government

2020 Hampton Street, Suite 3058

Columbia, SC 29204

Email: hannad@rcgov.us

Phone: 803.576.2111

Fax: 803.576.2119

"A good decision is based on knowledge, not on numbers."

— Plato

On Jun 6, 2019, at 8:35 AM, JAMES HAYES <HAYES.JAMES@richlandcountysc.gov> wrote:
Mr. Hanna

Thanks for the response; as it stands now; do we have a number as to what this looks like? Again, with new judges coming in they will be making less than the old judges so it could be that we already have some flexibility already built in to offset some increase but this is the deal because the budget is in Council's hand something needs to be added to the Motions List; if Admin wants me to add something or if Council but it's above me to adjust the ML. I can tell you Council will want a full explanation and an accounting of funding.

Again, it would be great to have someone work up the new judges base salaries versus the old judges base salaries to see the difference and then show what this % increase looks like and see how much we currently have to offset and how much more we need. This is something that should come from the Magistrates office. Keep in mind the motions list goes to Council today or the latest tomorrow

I will await further instructions

On Jun 6, 2019, at 8:12 AM, DWIGHT HANNA <HANNA.DWIGHT@richlandcountysc.gov> wrote:
Good Morning Mr. Hayes,

The short answer to your question is yes - the County has an obligation to pay properly approved increases for [Magistrates] regardless to the status of the budget for the Magistrate's department. And the short reasons are SC Code of Laws and Richland County Council's decision.

Now let me provide a little more background for context. As it relates to the County's obligation, not only is the County expected to the County is [required] to fund increases for Magistrates as approved by the State of SC when the SC Legislature approves pay increases for Circuit Judges. You may look at this similar if the minimum wage increases and the County has an employee at the old minimum wage - we must increase their pay to at least the new minimum wage when the law becomes effective. I am not aware of any waiver or exclusion reason from increasing the wages - without being outside of compliance with the SC Code of Laws.

Let me respond to your concern regarding the short notice. The SC Code of Laws requires counties to implement pay increases for Magistrates based on the previous FY salary of the Circuit Judge. To put another way, the SC Code of Laws and the SC Legislature actions usually as in this case provides counties about a year's advance notice. This means a pay increase for the Circuit Judge effective July 2019 becomes effective for Magistrates July 2020. However, about Richland County Council decided about 20 years ago to use the current Circuit Judge's salary vs. follow the SC Code of Laws. While not required by SC Code of Laws, this is totally permissible and legal because the Council decided to make the required increases for Magistrates effective generally a year earlier than required for the Magistrates.

I did not want you to think the short timing was because of the SC Code of Laws or the SC Legislature. The short notice is because of a decision Council made many years ago. Knowing this was a decision by Council, I will leave to your discretion as to how you deem best to voice your concerns on this matter.

In conclusion, I have provided Budget and Administration information to be best of my knowledge. However, I certainly welcome you to check with SC Court Administration, Legal, and/or any other source to confirm what I have said in this email. Human Resources does not have any control over the laws passed and/or decisions made by the SC Legislature. And Human Resources does not have any option not to comply with decisions made by Council. In short, I am just the messenger in this case. I alerted you and Administration promptly upon getting a notice from the Chief Magistrate.

T. Dwight Hanna, IPMA-SCP, CCP, SHRM-SCP, CBP, ADAC

Director of Human Resource Services Department

Richland County Government

2020 Hampton Street, Suite 3058

Columbia, SC 29204

Email: hannad@rcgov.us

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— Plato

On Jun 5, 2019, at 8:21 AM, JAMES HAYES <HAYES.JAMES@richlandcountysc.gov> wrote:

Let me understand something; we are expected to fund this and had no advance warning, and nothing has been given to members of Council alerting them to such an action and we are now days before the 3rd and final reading of the budget? This on the heels of a department that experienced a huge deficit in FY19; I am just trying to make sure I understand all the facts.

It would seem to me; that the County would be on the hook for less funds if the pay increases that were given this year were not given and those funds were redirected towards these judicial increases. I said it before and I will keep saying it; the County doesn't have an endless supply of resources and thus it is important that departments manage the resources approved by County Council in such a manner so as to provide the most cost-effective delivery of services to Richland County taxpayers.

At this point; the Budget is no longer the Administration Budget; so it would seem to me any adjustments will have to come in the form of a Council motion if they choose to move forward; I might add one other thing; We were told there was a turnover in judges and that the new judges would be coming in making less money than the old judges; We budgeted based off the position control which had the old judges salaries so I have been under the impression we will have some flexibility there because of the difference in pay; has this changed?
Sent from my iPad

On Jun 5, 2019, at 7:23 AM, DWIGHT HANNA <HANNA.DWIGHT@richlandcountysc.gov> wrote:
Good Morning Mr. Hayes,

Unless there is some unique provision in the details of what the Chief Magistrate provide to me yesterday, generally speaking salaries for all Richland County Magistrates increase by about 33% effective July 2019. In short, this is because Magistrate salaries are based on a percentage of the Circuit Judge's salary. And many years ago (I think the year before I came to Richland County in 1998) Richland County Council decided County Magistrates pay increases would be effective the same FY as Circuit Judge pay increases.

I have already reached out to SC Court Administration to request the Magistrate Pay Plan they publish for all counties in South Carolina annually.

I know you are in the short rows for the FY 2019/2020 budget process. Therefore, I wanted to promptly alert you to the consequence of notice received from the Chief Magistrate that South Carolina increase Circuit Judges salaries by 33% effective July 2019. So if you need to make any adjustments to the budget before the final reading you could do so.

I will also call you today so we can discuss if you have any questions.

T. Dwight Hanna, IPMA-SCP, CCP, SHRM-SCP, CBP, ADAC

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Columbia, SC 29204

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Begin forwarded message:

From: DWIGHT HANNA <HANNA.DWIGHT@richlandcountysc.gov>

Date: June 4, 2019 at 5:42:36 PM EDT

To: Tomothy Edmond <Edmond.Tomothy@richlandcountysc.gov>

Cc: JOHN THOMPSON <THOMPSON.JOHN@richlandcountysc.gov>, SANDRA YUDICE <YUDICE.SANDRA@richlandcountysc.gov>, JAMES HAYES <HAYES.JAMES@richlandcountysc.gov>

Subject: FW: Increase Magistrate Pay

Chief Magistrate,

I am familiar with the current SC Code of Laws regarding pay for Magistrates.

I will promptly review the attachment you have sent. And I will work with you, Administration, and Budget towards the County's appropriate compliance. Thanks for alerting me.

Dwight

From: Tomothy Edmond

Sent: Tuesday, June 4, 2019 4:56 PM

To: DWIGHT HANNA <HANNA.DWIGHT@richlandcountysc.gov>

Cc: Tomothy Edmond <Edmond.Tomothy@richlandcountysc.gov>

Subject: Increase Magistrate Pay

Hi Dwight,

The General Assembly passed the Pay increase for the salaries of Circuit Court Judges of 33%. I have attached the statute 14-1-200 which states" that Circuit Court Judges shall receive a salary in an amount equal to ninety-five percent of the salary fixed for Associate Justices of the Supreme Court", that was signed into law by Governor McMaster, effective July 1, 2019. According to the Richland County Magistrate Pay Plan, Summary Court Judges are entitled to a percentage of what the Circuit Court Judges are compensated, as we discussed in our previous meeting with the previous Chief, Judge Simons and Judge Maurer. I appreciate your time and attention to this matter and your assistance is always invaluable.

Kindest regards,

Tomothy C. Edmond

Summary Court Judge

Richland County Government

Upper Township District

edmond.tomothy@richlandcountysc.gov

P 803-576-2570/2320 F 803-576-2578

<image003.jpg>

400 Northeast Drive Suite I

Columbia, SC 29203
www.richlandcountysc.gov

From: DWIGHT HANNA
Sent: Wednesday, June 5, 2019 7:24 AM
To: JAMES HAYES <HAYES.JAMES@richlandcountysc.gov>
Cc: JOHN THOMPSON <THOMPSON.JOHN@richlandcountysc.gov>; SANDRA YUDICE <YUDICE.SANDRA@richlandcountysc.gov>; Tomothy Edmond <Edmond.Tomothy@richlandcountysc.gov>; STACEY HAMM <HAMM.STACEY@richlandcountysc.gov>
Subject: Fwd: Increase Magistrate Pay

Good Morning Mr. Hayes,

Unless there is some unique provision in the details of what the Chief Magistrate provide to me yesterday, generally speaking salaries for all Richland County Magistrates increase by about 33% effective July 2019. In short, this is because Magistrate salaries are based on a percentage of the Circuit Judge's salary. And many years ago (I think the year before I came to Richland County in 1998) Richland County Council decided County Magistrates pay increases would be effective the same FY as Circuit Judge pay increases.

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I will also call you today so we can discuss if your have any questions.

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Kindest regards,

Tomothy C. Edmond
Summary Court Judge
Richland County Government
Upper Township District
edmond.tomothy@richlandcountysc.gov

P 803-576-2570/2320 F 803-576-2578

**Agenda Briefing****To:** Committee Chair Joyce Dickerson and Members of the Committee**Prepared by:** Tomothy Edmond, Chief Summary Court Judge**Department:** Upper Township District**Date Prepared:** December 11, 2019**Meeting Date:** February 25, 2020

Legal Review	Elizabeth McLean via email	Date:	February 13, 2020
Budget Review	James Hayes via email	Date:	January 28, 2020
Finance Review	Stacey Hamm via email	Date:	January 14, 2020
Approved for Council consideration:		County Administrator	Leonardo Brown, MBA, CPM

Committee Administration & Finance**Subject:** Salary Adjustment for Richland County Magistrates**Recommended Action:**

Chief Magistrate Edmond recommends approving the salary increases for Richland County Magistrates based on the "Richland County Departmental Compensation Plan." Richland County Magistrates are currently compensated based on a formula derived from a pay plan, which was most recently updated during the fiscal year of 2015-2016. Under this county pay policy, full time magistrate judges' salaries are 75% of a Circuit Court judge's salary. In the most recent legislative session, the General Assembly passed a pay increase for Circuit Court judges and raised their salary from approximately \$143,000 to \$188,000. This means that a full time magistrate judge's salary would increase from approximately \$114,000 to \$141,000.

Motion Requested:

Move to accept the Chief Magistrate's recommendation to approve the amended salaries for full time magistrates based on the "Richland County Departmental Compensation Plan." This motion would increase the salaries approximately 33% which is in accordance with what the magistrates have been compensated since 1998 (magistrates have been paid in accordance with Circuit Court judges since then). This motion would not, and magistrates are not seeking, any "backpay" from when the Circuit Court judges salaries went in to effect back on July 1, 2019.

Request for Council Reconsideration: ☒ Yes**Fiscal Impact:**

Under S.C. Code Ann. § 14-1-200, Circuit Court judges are paid 95% of what an Associate Justice of the Supreme Court is paid. The Chief Justice of the Supreme Court is paid 105% of what an Associate Justice of the Supreme Court is paid.

Under the 2019-2020 General Appropriations bill, the Chief Justice makes a salary of \$208,000. An Associate Justice makes \$198,095. So a Circuit Court judge makes 95% of \$198,095 which is \$188,190.25.

Salaries:

- Chief Justice: \$208,000

- Associate Justice: \$198,095
- Circuit Court Judge: \$188,190.25

SECTION 14-1-200. Establishment of salaries of Supreme Court Justices, Court of Appeals, Circuit Court, and Family Court judges.

The General Assembly shall establish the salary of the Chief Justice and Associate Justices of the Supreme Court in the annual general appropriation act with the salary of the Chief Justice to be one hundred five percent of the salary fixed for Associate Justices of the Supreme Court and shall fix the salaries for the court of appeals, circuit court, and family court according to the following schedule:

(1) The chief judge of the court of appeals shall receive a salary in an amount equal to ninety-nine percent of the salary fixed for Associate Justices of the Supreme Court;

(2) Judges of the court of appeals shall receive a salary in an amount equal to ninety-seven and one-half percent of the salary fixed for Associate Justices of the Supreme Court, and circuit court judges shall receive a salary in an amount equal to ninety-five percent of the salary fixed for Associate Justices of the Supreme Court;

(3) Judges of the family court shall receive a salary in an amount equal to ninety-two and one-half percent of the salary fixed for Associate Justices of the Supreme Court.

S.C. Code Ann. § 14-1-200

The current grand total of salaries for Richland County Magistrates is \$2,058,863.44. In accordance with the pay plan, this grand total would increase by \$679,424.94 for a grand total of \$2,73,288.38. This grand total includes FICA and Police Retirement System.

Additional Considerations:

Per Finance Director Stacey Hamm, when the General Assembly passed the Circuit Court pay increase, a proviso was issued that said indicated the increase would not apply to Magistrates. They also sent a correction that the 2% doesn't apply until FY21. Proviso 117.157 effectively decoupled magistrates' salaries from a circuit court judge's salary. This was accomplished by freezing the fiscal year to compute a magistrate's salary to FY 18-19, the year prior to the judicial salary increase.

Additionally, Budget Director James Hayes has expressed "great concerns of the fiscal impact and [the County's] ability to incurring such a great recurring costs."

Motion of Origin:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

Discussion:

In 1998, Richland County passed their first pay plan with regards to how magistrate judges would be compensated. Based on South Carolina law, all magistrates are to be compensated by their county based on a formula tied to a Circuit Court judge's salary. In the largest counties, which includes Richland, the baseline amount to be paid is 54% of a Circuit Court salary. However, all counties are allowed to pay above this baseline. Richland County has agreed to pay above this baseline since 1998. In the most recent pay compensation plan, Richland County has agreed to pay 75% of a Circuit Court salary.

Unlike many other counties across our state, Richland County is a leader in compensating and funding our magistrate court system. At every annual conference, judges across the state call Richland the "envy" of the magistrates system and what every magistrate system hopes to achieve. This is reflected in our Central Court located on Decker Blvd. This court has nine separate court rooms, mediation rooms, offices for the public defender and solicitor, and many more accommodations. Twice a month, hundreds of Richland County jurors are called to serve and witness first hand the impact of a fully funded and first rate magistrate system.

Richland County has not only invested heavily in the court infrastructure, but also the compensation to our 22 magistrate judges, and it reflects. The high compensation for these positions brings out some of the most qualified judges who seek these positions. As a core government function, the court is able to operate in state of the art facilities with knowledgeable and respected judges. The compensation of these judges has a direct impact on the community and the interaction between citizens and the government.

Just recently, the Post and Courier did an expose on the magistrate court system throughout our state and it was not kind. The article described the system as "corrupt" and "incompetent." The article also pointed out that many counties have been, and will be, sued by the ACLU for not protecting defendant's rights. Fortunately, the current Richland County Magistrate system was not in this article, and not by coincidence. Former Chief Magistrate Simons and current Chief Magistrate Edmond have worked to make sure that our court system is always in compliance with Court Administration and the Supreme Court. Quite often Court Administration will call on Richland County Magistrates to handle cases outside of our jurisdiction when there is a conflict.

In sum, the salary compensation is a direct investment in a fundamental service to the citizens.

Attachments:

1. Chief Magistrate's Supporting Documentation
 - a. Salary Increase Numbers
 - b. South Carolina Code 14-1-200
 - c. Richland County Departmental Compensation Plan (2013)
 - d. Richland County Departmental Compensation Plan (2015-2016)
 - e. Special Called – Budget 3rd Reading
2. SCAC - Magistrates and Masters-in-Equity Salary Update

Under S.C. Code Ann. § 14-1-200, Circuit Court judges are paid 95% of what an Associate Justice of the Supreme Court is paid. The Chief Justice of the Supreme Court is paid 105% of what an Associate Justice of the Supreme Court is paid.

Under the 2019-2020 General Appropriations bill, the Chief Justice makes a salary of \$208,000. An Associate Justice makes \$198,095. So a Circuit Court judge makes 95% of \$198,095 which is \$188,190.25.

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- (1) The chief judge of the court of appeals shall receive a salary in an amount equal to ninety-nine percent of the salary fixed for Associate Justices of the Supreme Court;
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- (3) Judges of the family court shall receive a salary in an amount equal to ninety-two and one-half percent of the salary fixed for Associate Justices of the Supreme Court.

S.C. Code Ann. § 14-1-200

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
TITLE: Magistrate Supplemental Pay Plans	Number: 2
EFFECTIVE DATE: 07/01/2013	Page: 1 of 3
REVISION DATE: 07/03/2013	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

POLICY:

To establish pay plans for Richland County magistrates, subject to appropriations by Council in the Richland County Budget Ordinance.

PROCEDURE:

1. As of July 1, 1998, a full-time magistrate with a two year associate degree or four year Bachelors degree and having obtained four (4) years judicial experience or having a total of twelve (12) years judicial experience as an equivalent shall be paid at a salary rate of sixty percent (60%) of that of a Circuit Court Judge's salary of this state. A newly appointed magistrate would progress to the full time rate as follows:
 - 1.1. A newly appointed magistrate with a four (4) year Bachelor degree should be paid according to the "A" scale below. The term "Newly Appointed" for scale "A" means a person with a Bachelor degree never before serving as a magistrate for his/her first four year term or the remainder of an unexpired term of a former magistrate. A newly appointed magistrate does not have the requisite experience.
 - 1.2. A newly appointed magistrate without a four (4) Bachelor degree shall be paid according to the "B" scale below. The term newly appointed for the purposes of "B" scale means a person who meets the state minimum requirement and does not have a bachelor degree and does not have the requisite experience.
2. **SCALE (A)**
 - 2.1. Upon first appointment a magistrate with a four year Bachelors degree shall be paid forty eight percent (48%) of the a circuit court judge for South Carolina.
 - 2.2. Upon completion of the orientation school sponsored by the South Carolina Court Administration and certification by the Magistrate Board of Certification, a newly appointed magistrate shall be paid fifty four percent (54%) of a circuit court judge for South Carolina.
 - 2.3. Upon completion of the anniversary of the second year as a magistrate, the magistrate shall be paid fifty seven percent (57%) of a circuit court judge for South Carolina;
 - 2.4. Upon completion of the anniversary of the third year in office, year as a magistrate, the magistrate shall be paid sixty percent (60%) of a circuit court judge of South Carolina;

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
TITLE: Magistrate Supplemental Pay Plans	Number: 2
EFFECTIVE DATE: 07/01/2013	Page: 2 of 3
REVISION DATE: 07/03/2013	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

2.5. Upon completion of the anniversary of the fourth year in office, a magistrate shall be paid at a rate designated in section 1 above; that is sixty six percent (66%) of the rate of salary of circuit judge of the state.

3. SCALE B

3.1. Upon initial appointment the magistrate shall be paid at the state base rate.

3.2. Upon the second (2nd) anniversary the magistrate shall be paid at a rate of forty percent (40%) of a circuit judge's salary.

3.3. Upon the forth (4th) anniversary the magistrate shall be paid at rate of forty four percent (44%) of a circuit judge's salary.

3.4. Upon the sixth (6th) anniversary the magistrate shall be paid at a rate of forty eight (48%) of a circuit judge's salary.

3.5. Upon the eighth (8th) anniversary the magistrate shall be paid at the rate of fifty two percent (52%) of a circuit judge's salary.

3.6. Upon the tenth (10th) anniversary the magistrate shall be at the rate of fifty six percent (56%) of a circuit judge's salary.

3.7. Upon the twelfth (12th) anniversary the magistrate shall be paid at a rate of sixty (60%) percent of a circuit judge's salary.

4. The annual salary adjustment for a magistrate will be the normal progression as outlined in Scale A and Scale B. Once the adjustment under Scale A and B has been achieved, any subsequent adjustments will be consistent with those of a circuit court judge. This will be inclusive of any cost of living adjustments given to State employees.

5. Magistrate and ministerial magistrates shall have the same perquisite as those employees of the County of similar position and salary.

6. Any part-time magistrate or ministerial magistrate shall be paid a prorated salary based on hours worked and length of service.

7. A full-time Chief Magistrate for administrative purposes shall be paid a yearly stipend of five thousand dollars (\$5,000.00) for such added responsibilities as require by such position and such stipend shall be forfeited when that person is no longer Chief Magistrate for administrative purposes for the county.

RICHLAND COUNTY DEPARTMENTAL COMPENSATION PLAN	
TITLE: Magistrate Supplemental Pay Plans	Number: 2
EFFECTIVE DATE: 07/01/2013	Page: 3 of 3
REVISION DATE: 07/03/2013	REVISION #:
PREPARED BY: Human Resources Department	AUTHORIZED BY: TDH

8. As a participant in the criminal justice system, each magistrate shall be assigned to the Police Officers retirement System (PORS) with the county contributing the full employer portion.
9. Magistrates requesting to be converted to PORS will have conversion funds contributed by the County equal to the amount due for the time served as a magistrate. Any other State retirement years required to be converted will be at the individual's expense.

REPLACES PAY PLAN EFFECTIVE AS OF JULY 1 1998 & 2013

POLICY

To establish pay plan for Richland County Magistrates subject to appropriations by the Council in the Richland County Budget Ordinance FY 2015 – 2016

PROCEDURE

1. Effective July 1, 2015 a full time magistrate meeting state qualifications or having obtained four (4) years judicial experience shall be paid at a rate of **seventy-five percent (75%)** of a Circuit Court Judge's salary of this state. Future salary adjustments shall be the same as salary adjustments, including cost of living adjustments, for all other Richland County employees. A newly appointed magistrate would progress to the full time salary rate as follows:

Newly Appointed Magistrate means a person meeting state qualifications and never before serving as a magistrate during the first four years in office.

- A. Upon first appointment a newly appointed magistrate shall be paid seventy-five percent (75%) of a full-time Richland County's magistrate's salary as in one (1) above;
- B. Upon completion of the orientation school sponsored by the South Carolina Court Administration and certification or exemption by the Magistrate Board of Certification a newly appointed magistrate shall be paid eighty percent (80%) of a full-time Richland County magistrate's salary as in one (1) above;

- C. Upon completion of the anniversary second year as a magistrate, the first term magistrate shall be paid eighty-five percent (85%) of a full-time Richland County magistrate's salary as in one (1) above;
 - D. Upon completion of the anniversary of the third year in office a first term magistrate shall be paid ninety percent (90%) of a full-time Richland County magistrate's salary as in one (1) above;
 - E. Upon completion of the anniversary of the fourth year in office and thereafter a full-time magistrate shall be paid the same salary as other full-time magistrates who have served for four years or more in Richland County.
-
- 2. Magistrates and ministerial magistrates shall have the same perquisites as those Richland County employees of similar position.
 - 3. Any part-time magistrate or ministerial magistrate shall be paid a prorated salary based on hours worked and length of service as set out in A through E above.
 - 4. A full-time Chief Magistrate for administrative purposes shall be paid a yearly stipend of five thousand dollars (\$ 5000.00) for such added responsibilities as required by such a position and such stipend shall be forfeited when that person is no longer Chief Magistrate for administrative purposes for the county.
 - 5. As a participant in the criminal justice system, each magistrate shall be assigned to the Police Officers Retirement System (PORS) of South Carolina with the County contributing the full employer portion. A Newly Appointed Magistrate may elect in writing to remain in the State Retirement System should the person have prior service credits there.

RICHLAND COUNTY COUNCIL

S O U T H C A R O L I N A

Special Called - Budget 3rd Reading
June 22, 2015
Page Eleven

The vote in favor was unanimous.

Outside Agencies: Move to fund Midlands Mediation Center at prior year amount of \$20,000 - This item was withdrawn.

All Regional Magistrates, Administrative Magistrate, and District Magistrate: Move that all budget recommendations be amended to include an increase in the salary of the magistrate to 75% of a circuit judge's salary. This will result in an 11.94% salary adjustment from 67% to 75% of a circuit judge's salary for 15 full time and 3 part-time magistrates. Total payroll increase will be \$218,000 - Mr. Livingston moved, seconded by Mr. Jackson, to support the proposal for \$218,000; reduce the Detention Center budget by \$218,000 and request the Administrator to evaluate the savings realized by these changes.

Mr. Livingston stated that if the changes do not realize a cost savings then the "pilot program" will be terminated.

Mr. Pearce inquired if the magistrate's salary can be temporarily adjusted.

Mr. Smith stated the State statute states that you cannot reduce the salary of a magistrate while they are in office.

Mr. McDonald stated from a programmatic standpoint the concept is good if the County can do so as a pilot program and review after a year.

Mr. Pearce inquired if the Chief Magistrate has the ability to voluntarily waive the statute in order to institute the pilot program.

Mr. Smith stated the statute cannot be waived.

Mr. Rose requested a friendly amendment to approve this item contingent upon Administration and Legal being able to structure the pilot program whereby if the program ceased the funding would ceased as well.

Mr. McDonald suggested earmarking the funds in the Detention Center budget and to allow Legal and Administration to work on the salary issue. If the logistics of salaries can be work out, then move the funds to the appropriate budget for expenditure.

Mr. Malinowski inquired if the costs would increase on items ordered by the Detention Center if the inmate population were to decrease and to research the option of utilizing "Skype" and/or other online services to reduce personnel costs.

The vote in favor was unanimous.

All Regional Magistrates, Administrative Magistrate, and District Magistrate: Move to revise the County Bond Court processes to a 24 hour operation. This change



ASHIYA MYERS

From: SCAC Staff <scac@scac.ccsend.com> on behalf of SCAC Staff <scacstaff@scac.sc>
Sent: Wednesday, June 12, 2019 4:49 PM
To: SANDRA YUDICE
Subject: Magistrates and Masters-in-Equity Salary Update - June 12, 2019



SOUTH CAROLINA ASSOCIATION OF COUNTIES

[ABOUT SCAC](#) [SC COUNTIES](#) [LEGISLATION](#) [MEETINGS](#) [SERVICES](#) [PUBLICATIONS](#)

Counties are required by law to fund the salaries of magistrates and masters-in-equity. State law has traditionally tied magistrates and masters-in-equity salaries to the salary of a circuit court judge, which is set in the state budget.

In this year's state budget (FY 19-20), circuit court judges received a significant increase in their salaries. Additionally, a proviso was passed that requires magistrate and masters-in-equity salaries to be computed differently. Proviso 117.157 effectively decoupled magistrates' salaries from a circuit court judge's salary. This was accomplished by freezing the fiscal year to compute a magistrate's salary to FY 18-19, the year prior to the judicial salary increase.

As a result of the decoupling, magistrates will be paid the same amount they were paid in FY 18-19 and will receive a 2 percent increase pursuant to the pay increase given to all state employees this year. The relevant code section dealing with magistrate salaries is § 22-8-40.

Proviso 117.157 did not decouple or freeze masters-in-equity salaries. Masters-in-equity remain tied to the circuit court judges' salaries pursuant to § 14-11-30, which provides that they must be paid up to 90 percent of a circuit court judge's salary. They also still have graduated pay scales based on county population with the 90 percent pay representing the highest paid tier. If your county has a full-time

or part-time master-in-equity, then you will be responsible for funding the increased salary of the master-in-equity.

If you have any questions about how much more your county must pay the master-in-equity please contact staff attorney [Daina Riley](#) at 1(800) 922-6081. Please consult your county attorney or Daina Riley if you have questions about what tier your county is in for each position.

South Carolina Association of Counties
1919 Thurmond Mall
PO Box 8207
Columbia, SC 29202-8207
Phone: (803) 252-7255 * (800) 922-6081
FAX: (803) 252-0379
scac@scac.sc

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Constant Contact 

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From: SCAC Staff <scac@scac.ccsend.com> on behalf of SCAC Staff <scacstaff@scac.sc>
Sent: Monday, June 17, 2019 1:09 PM
To: SANDRA YUDICE
Subject: Magistrates and Masters-in-Equity Salary Update - June 17, 2019



SOUTH CAROLINA ASSOCIATION OF COUNTIES

[ABOUT SCAC](#) [SC COUNTIES](#) [LEGISLATION](#) [MEETINGS](#) [SERVICES](#) [PUBLICATIONS](#)

On June 12, 2019, SCAC sent a magistrates and masters-in-equity salary update which stated that magistrates will receive a 2 percent pay increase this year (FY 19-20). Court Administration has since opined that the 2 percent pay increase will not take effect until FY 20-21.

If you have any questions regarding this update, please contact staff attorney [Daina Riley](#) at 1(800) 922-6081. Please see the attached salary schedule - available in the original Excel file, or as a PDF - as provided by Court Administration.

[Salary schedule \(Excel\)](#)

[Salary schedule \(PDF\)](#)

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In Favor: Malinowski, Walker, Dickerson and McBride

The vote in favor was unanimous.

- o. Salary Adjustment for Richland County Magistrates – The committee recommended denial of the request.

In Favor: Malinowski, Myers, Walker, Dickerson and McBride

The vote in favor was unanimous.

- p. Senior Resources – Request for Matching Grant Funds – The committee recommended forwarding this item to Council without a recommendation.

In Favor: Myers, Walker, Dickerson and McBride

Opposed: Malinowski

The vote was in favor.

- q. Bond Court Consolidation – City of Columbia and Richland County – This item was not taken up.
- r. Airport Property Use for a Promotional Event – This item was not taken up.

- 6. **ADJOURNMENT** – The meeting adjourned at approximately 6:40 PM.

In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Walker, Dickerson, Livingston and McBride

Present but Not Voting: Manning

The vote in favor was unanimous.

- c. Increase FY20 Budget Allocation – Central Midlands Council of Government – Ms. Dickerson stated the committee recommended increasing the Central Midlands Council of Government budget allocation by \$10,866 to make the total allocation \$189,298.

Ms. Newton stated, for clarification, these are the dues the County is obligated to pay, per the agreement with the CMCOG.

In Favor: Terracio, Jackson, Newton, Myers, Kennedy, Dickerson, Livingston and McBride

Opposed: Malinowski and Walker

Present but Not Voting: Manning

The vote was in favor.

- d. Salary Adjustment for Richland County Magistrates [DENIAL] – Ms. Dickerson stated the committee sent this forward with a recommendation for denial. Since the committee meeting, she has received a request from Judge Edmond to defer this item, and bring it back at a later time.

Ms. Dickerson moved, seconded by Ms. McBride, to defer this item.

In Favor: Terracio, Jackson, Newton, Myers, Kennedy, Dickerson, Livingston and McBride

Opposed: Malinowski, Manning and Walker

The vote was in favor.

POINT OF ORDER – Mr. Manning inquired if this item was being deferred back to committee or a Council meeting.

Ms. Dickerson stated it was deferred back to committee.

Mr. Manning asked that the record reflect that he voted against this item because it was not clear whether it was going back to committee or a Council meeting.

- e. Senior Resources – Request for Matching Grant Funds – Ms. Dickerson stated the committee forwarded this to Council without a recommendation.

Mr. Andrew Boozer, Executive Director of Senior Resources, stated they have a unique opportunity to receive State funding. The request before Council is for matching grant funds. He stated they have built a coalition, as he had suggested, when he appeared before Council a few weeks ago. In addition to the \$60,000 the board has committed, they have been pledged \$40,000 from two (2) corporate sponsors, and received a \$25,000 commitment from the City of Columbia, contingent upon the



Informational Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Director
Department:	Public Works	Division:	Solid Waste & Recycling
Date Prepared:	December 3, 2024	Meeting Date:	December 17, 2024
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Meeting/Committee	Administration & Finance		
Subject:	Reallocation of Homes from Solid Waste Collections Area 1 to Collections Area 5B		

Effective February 1, 2025, the Solid Waste and Recycling Division will reallocate approximately 4,946 homes from Collections Area 1, to Collections Area 5B due to ongoing performance challenges in Area 1. Despite efforts to resolve issues, the Area contractor, Waste Management, Inc has consistently experienced delays and missed collections, resulting in continued poor customer service.

Collection Area 1 will be reduced by approximately 4,946 homes, bringing the total customer count to 14,029. Collection Area 5B which is served by Johnson Garbage Service will increase by the same number of homes, expanding the total customer count to 6,629. These adjustments will allow both areas to remain manageable in size, aligned with the contractors' operational capacity, and more congruent with the other county collection areas.

The reallocation considered natural borders with Harbison State Forest, the Broad River, interstate/highways, and City of Columbia service area lines to ensure routes remained logical, manageable, and efficient. Council Districts 2, 4, and 5 are included in the revised collection area (map attached).

The reallocation of homes in Collections Area 1 will begin on February 1, 2025, when the current contract for Area 1 concludes. The existing contractor's agreement will be extended for one year with a reduced service area. This extension provides an opportunity for performance improvements, but if no progress is made by the end of May 2025, Solid Waste will issue a Request for Proposal (RFP) for a new contractor for Area 1 in June 2025.

As part of this planned reallocation of 4,946 homes from Area 1 to Area 5B, a \$6.32 per cart rate increase will lead to an estimated monthly increase of \$31,258.72 in contractor costs for the remaining five months of the fiscal year, thereby resulting in an annual increase of approximately \$156,293.60.

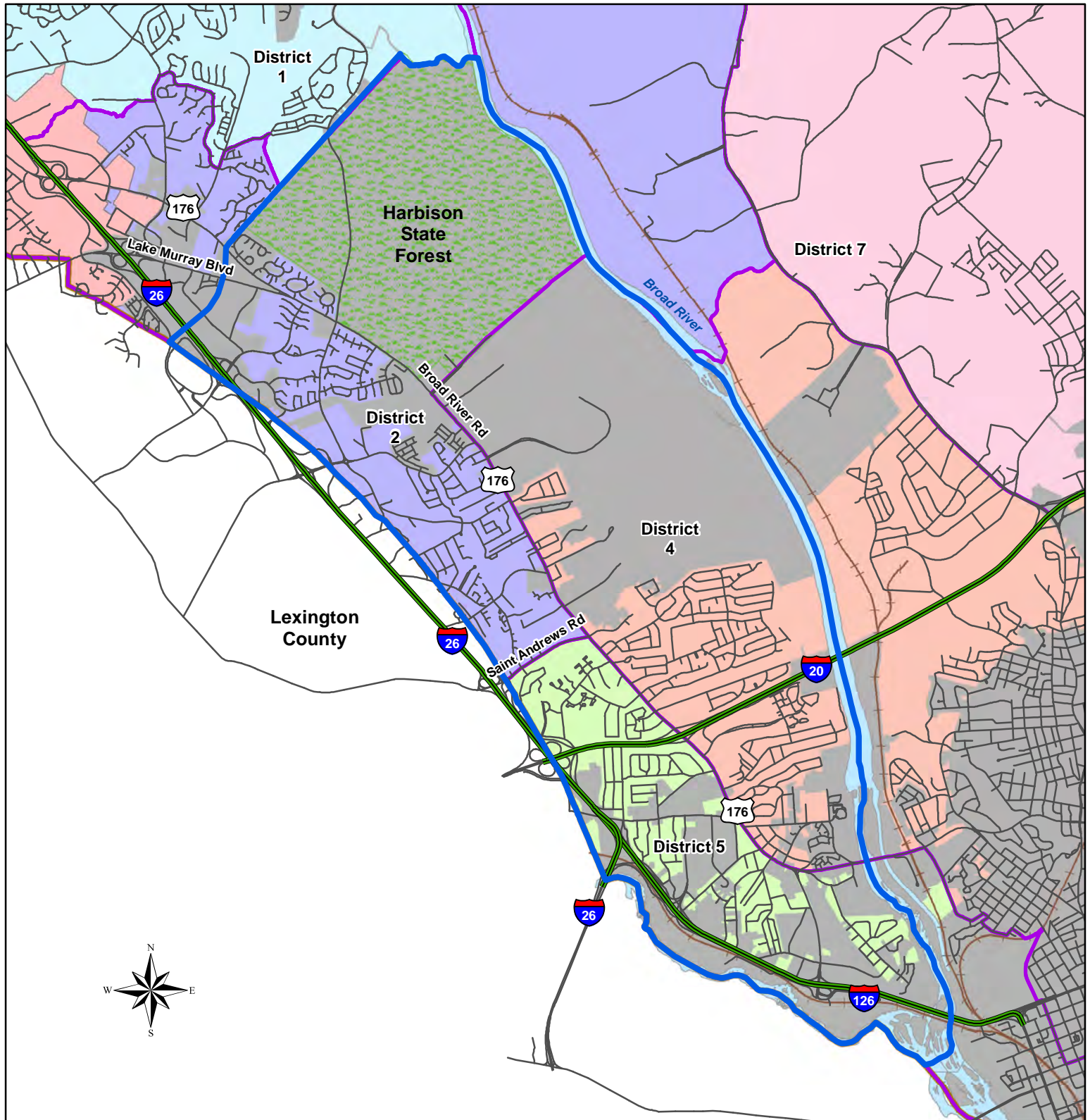
In preparation for the collection expense, the Solid Waste & Recycling budget will be adjusted by reallocating savings from various areas, including \$55,000 saved from the recent change in roll cart vendors, \$80,000 from mattress recycling now handled in-house, and over \$50,000 in fines already charged to the underperforming contractor.

Solid Waste will coordinate with the County's Communications Department as well as the contractors, Johnson Garbage Service and Waste Management, Inc who will provide notification to the affected residents on potential changes of collection days. The contractor is required to provide written notice two times to each resident within the 30 days of the start of any change.






ATTACHMENTS:

1. Solid Waste Collection Area 1 Reallocation Map

Solid Waste Collection Area Change - 1 to 5B Attachment 1



Legend

- | | | | |
|--|---------------------------|---|----------|
|  | Collection Area Changing |  | Columbia |
|  | Council District Boundary |  | Irmo |
|  | County Boundary | | |

NOTE: Homes within the highlighted area will be moved from Area 1 Collection to Area 5B Collection. This will affect 4,946 households.





Informational Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Director
Department:	Public Works	Division:	Solid Waste & Recycling
Date Prepared:	November 27, 2024	Meeting Date:	December 17, 2024
Approved for consideration:		Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM
Meeting/Committee	Administration & Finance		
Subject:	Contract for Municipal Solid Waste Disposal		

The Municipal Solid Waste (MSW) landfill contract between Richland County and Waste Management, Inc is set to expire on June 30, 2025; however, County Council approved an amendment of the Host Community Agreement at its July 14 2020 Special Called meeting, which permits the exercise of an additional five year continuation to June 30, 2030.

The original contract titled "Host Community Agreement for Disposal of Municipal Solid Waste in a "Subtitle D" Landfill Facility" was created in September of 1995. At that time, the host fee returned to Richland County was \$1.00 per ton, and the disposal cost to the County was \$18.00 per ton. The agreement has had three amendments. As previously mentioned, the most recent amendment was July 2020 that increased the host fee to \$1.75 per ton, and the disposal cost to \$26.89 per ton.

Using the Consumer Price Index (CPI) as allowed in the base agreement, or a maximum of 5% whichever is less, the current 2024 disposal cost is \$31.96 per ton. Since 1995, the Revenue rate for hosting the facility increased by 75.0%, and the Expense rate for disposal increased by 77.6%.

The Public Works Director and General Manager of Solid Waste will meet with Waste Management, Inc. representatives to negotiate the best possible solution for the Richland County enterprise. Staff has made this report to prepare the County Council for an upcoming contract renewal or other recommendations in the coming months.

ATTACHMENTS:

1. Third Amendment to the Host Community Agreement

STATE OF SOUTH CAROLINA)	THIRD ADDENDUM TO HOST COMMUNITY
)	AGREEMENT FOR DISPOSAL OF
)	MUNICIPAL SOLID WASTE IN A
RICHLAND COUNTY)	"SUBTITLE D" LANDFILL FACILITY

WHEREAS, the COUNTY OF RICHLAND, SOUTH CAROLINA, a political subdivision of the State of South Carolina, acting through its County Council (hereinafter referred to as the "County"), and WASTE MANAGEMENT OF SOUTH CAROLINA, INC. (formerly, Chambers Waste Systems of South Carolina, Inc.), a corporation duly organized and existing under the laws of South Carolina (hereinafter referred to as the "Contractor") entered into a certain Host Community Agreement for Disposal of Municipal Solid Waste in a "Subtitle D" Landfill Facility dated September 25, 1995, as amended effective January 1, 2009 and July 1, 2014, which provides for the disposal of municipal solid waste from within the boundaries of the County in the landfill facility operated by Contractor in Richland County, South Carolina ("Landfill Facility") (hereinafter referred to as the "Agreement"); and

WHEREAS, the Agreement, as amended, provided for the payment of a host fee to the County equal to One and 75/100 Dollars (\$1.75) per ton of municipal solid waste received at the Landfill Facility from outside the county; and

WHEREAS, the Agreement further provided options for the County to extend the term of the Agreement through June 30, 2025; and

WHEREAS, the County has determined that it is in the best interests of the County to modify the Agreement and exercise the County's option to extend the term of the Agreement through June 30, 2025; and

WHEREAS, the County has determined that it is in the best interests of the County to provide for an additional option to extend the Agreement until June 30, 2030;

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the sufficiency of which are hereby acknowledged, the parties hereto, each intending to be legally bound do agree to the terms and conditions below which shall be an addendum to the Agreement:

1. All defined terms not otherwise defined herein shall have the same meaning herein as ascribed to them in the Agreement.
2. Paragraph 2, Term of Agreement, is amended to read as follows:

The term of this Agreement shall commence on or before October 2, 1995 and shall continue through June 30, 2025. Upon mutual agreement of the parties to terms acceptable to both, this Agreement may be renewed for one additional five year period under the same terms and conditions.

3. Paragraph 4, Host Community Assessments, is amended to read as follows.

Effective July 1, 2020, the host fee payable to the County by Contractor shall remain at One and 75/100 Dollars (\$1.75) per ton. The host fees shall be collected and paid on a quarterly basis. The host assessment tonnage calculations shall be based upon the billing format and detail as herein elsewhere provided.

4. Effective July 1, 2020, the County's disposal rate at the Landfill Facility shall remain at the current Twenty-six and 89/100 Dollars (\$26.89) per ton. This rate shall be subject to adjustment according to the terms of the Agreement.

5. All volumes of municipal solid waste generated within Richland County and collected by County waste collection vehicles or the waste collection service(s) operating under contract or licenses with the County shall be disposed of at the Landfill facility except for construction and demolition waste.

All other terms and conditions of the Contract not inconsistent with this Addendum shall remain in effect.

This Addendum may be executed in multiple counterparts, each of which shall be an original but all of which shall constitute one agreement.

IN WITNESS WHEREOF, the parties hereto have caused their authorized representatives to execute this Agreement to be effective as of _____, 2020.

RICHLAND COUNTY
SOUTH CAROLINA

WASTE MANAGEMENT OF
SOUTH CAROLINA, INC.

By: _____

By: _____

Title: _____

Title: _____

WITNESS:

WITNESS:

By: _____

By: _____

Title: _____

Title: _____