

RICHLAND COUNTY
ADMINISTRATION & FINANCE
COMMITTEE AGENDA



Tuesday, JULY 23, 2019

6:00 PM

COUNCIL CHAMBERS

The Honorable Joyce Dickerson, Chair

County Council District 2

The Honorable Bill Malinowski

County Council District 1

The Honorable Yvonne McBride

County Council District 3

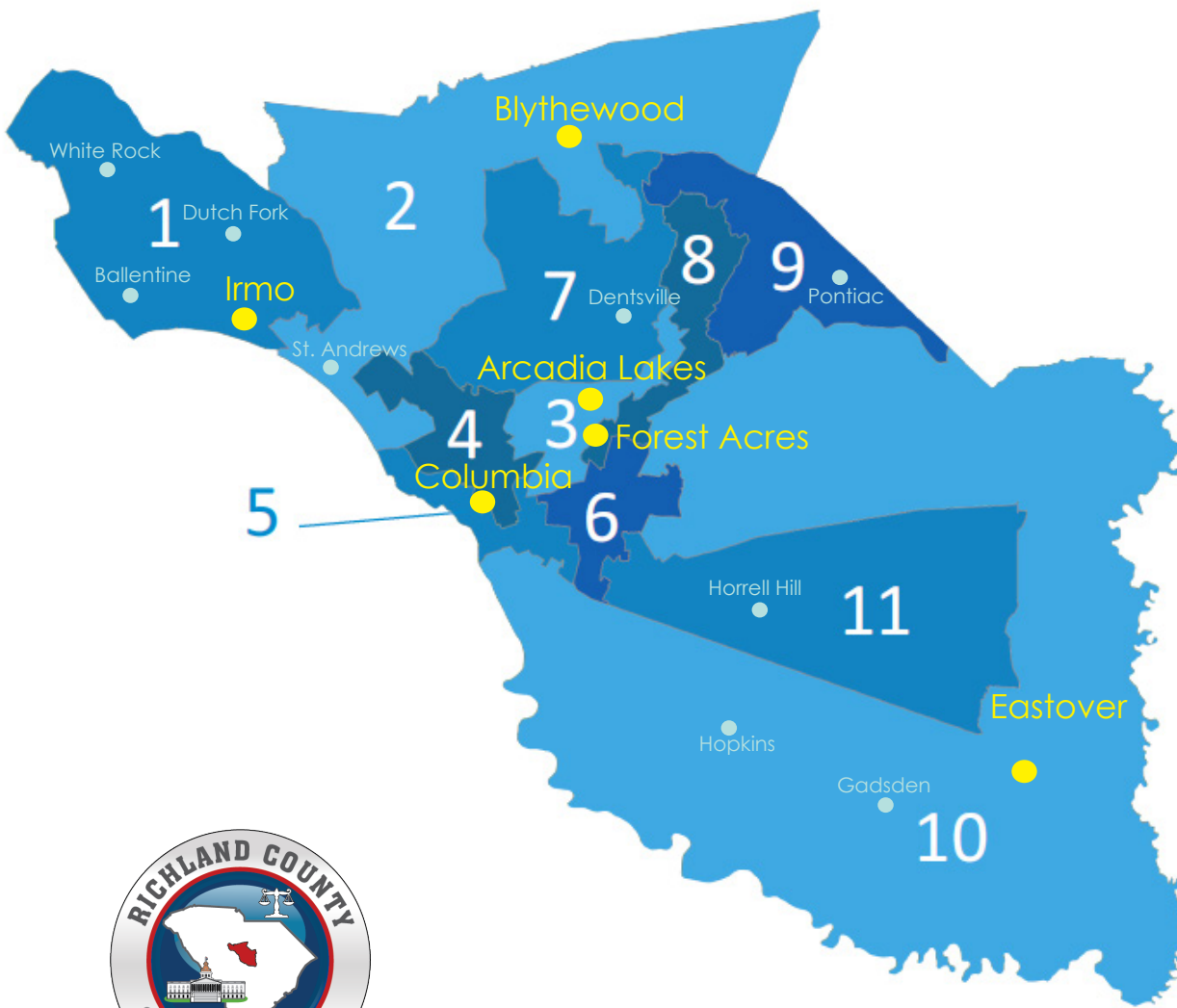
The Honorable Joe Walker

County Council District 6

The Honorable Dalhi

County Council District 10

RICHLAND COUNTY COUNCIL 2019



Bill Malinowski
District 1
2018-2022



Joyce Dickerson
District 2
2016-2020



Yvonne McBride
District 3
2016-2020



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker, III
District 6
2018-2022



Gwendolyn Kennedy
District 7
2016-2020



Jim Manning
District 8
2016-2020



Calvin "Chip" Jackson
District 9
2016-2020



Dalhi Myers
District 10
2016-2020



Chakisse Newton
District 11
2018-2022





Richland County Administration & Finance Committee

July 23, 2019 - 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Joyce Dickerson
 - a. Roll Call

2. **APPROVAL OF MINUTES** The Honorable Joyce Dickerson
 - a. May 23, 2019 [PAGES 7-11]
 - b. June 25, 2019 [PAGES 12-21]

3. **APPROVAL OF AGENDA** The Honorable Joyce Dickerson

4. **ITEMS FOR ACTION** The Honorable Joyce Dickerson
 - a. On November 16, 2017 the A&F Committee directed the legal department to prepare a structured proposal addressing the creation of a service fee agreement or Ordinance for property not taxed in Richland County but receiving all the services that taxpayers do. This matter should be immediately addressed and brought back with the requested information to the June 2019 A&F Committee. [MALINOWSKI] [PAGE 22]
 - b. The COMET Interest Payments [PAGES 23-26]
 - c. Fund Balance for inside and outside departments/ agencies receiving funds from Richland County should not exceed a certain percentage of their operating budget. This is a request to address this matter and determine what reasonable percentage that should be. [MALINOWSKI] [PAGES 27-30]
 - d. Columbia Housing Authority Vehicle Donation [PAGES 31-33]

- e. South Edisto Project Funding: Use of CDBG funds [**PAGES 34-78**]
- f. Town of Eastover Inspections IGA [**PAGES 79-85**]
- g. New Hire Probation Update [**PAGES 86-101**]
- h. Richland County Recreation Commission –Reprogramming of funds for Allen-Benedict Court Residents [**PAGES 102-105**]
- i. Solid Waste Rate Study [**PAGES 106-118**]

5. INFORMATION/DISCUSSION

The Honorable Joyce Dickerson

- a. Cherry Bekaert – Richland County Audit Planning Discussion [**PAGES 119-123**]

6. ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

The Honorable Joyce Dickerson

- a. "Move to allocate up to \$50,000 per year in FY20 and FY21 to hire a firm to guide the county in establishing a strategic plan. This planning process would begin after completion of the upcoming county-wide survey and use that constituent input to inform county priorities and strategies. Funds are currently available in the FY19 budget that can be encumbered for strategic planning." [NEWTON]

7. ADJOURN



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



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

May 23, 2019 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Yvonne McBride and Dalhi Myers

OTHERS PRESENT: Michelle Onley, Kimberly Williams-Roberts, Larry Smith, Stacey Hamm, Jennifer Wladischkin, John Thompson, Clayton Voignier and Geo Price

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. April 23, 2019 – Ms. Myers moved, seconded by Ms. McBride, to approve the minutes as distributed.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

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

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. I move that all RC contracts must be reviewed & approved by the Office of the County Attorney & that notices under or modifications to RC contracts must be sent to the County Attorney, but may be copied to external counsel, as desired [MYERS] – Mr. Malinowski stated, on p. 15, it says, “Costs associated with the use of outside counsel may be incurred and will be determined upon engagement thereof.” He stated he does not understand why we would be utilizing outside counsel for this.

Mr. Smith stated he does not envision, at this point, that we would need outside counsel for review. Initially, when this motion came up, it stayed in committee because it was unclear as to what Ms. Myers meant by “all RC contracts”. She came back and clarified that, and said that would include all contracts where we were talking about the County potentially having some liability or the County’s good faith and credit being on the line should something happen. So, that would include all County contracts, and would include contracts that could potentially come from departments that are under the supervision of the County Administrator. That would also mean, potentially, that you are talking about the review of contracts from Elected and

Appointed Officials. He and the maker of the motion also had a discussion about the fact that, if you are talking about a constitutional officer, the County would not necessarily have the authority to tell that constitutional officer they could not enter into an agreement. If a constitutional officer, or an Elected/Appointed Official wants us to review a document, they certainly will do that, and try to give them advice as to how the terms and conditions of that contract can be strengthened, so we make sure the County is protected, which he thinks was the intent of the maker of the motion. To the extent, that they voluntarily say they want the Legal Department to review it, they will do so. He also indicated that, at the end of the day, this probably is going to require some additional manpower to do. He thinks the Legal Department can review the contracts, and make recommendations to the departments, as to how to modify the terms and conditions, so the County is in the best position to be protected. However, from his position, he thinks the biggest issue the County has with contracts is not necessarily the language in contract. It has to do with the administration of the contract. Once the contract goes out, there is nobody that is administering the contract. There is nobody that is monitoring the contract, so by the time we look up, there has been a breach, or the vendor has not done what they were supposed to do. In addition to reviewing the contract, we need to address how we administer the contracts. The Procurement Department has a contracting officer that is supposed to represent each department. They have certain prescribed duties and responsibilities, which include monitoring these contracts. He does not know how well that is working, and maybe that is not the correct model. The point is, while we are addressing the issue of reviewing the contract, you may want to also focus on how we can better administer them, once the contract is entered into.

Ms. Myers stated, for example, if there is an accident involving a fire engine, the County, because we run the Fire Department, and are self-insured, is the body that pays out money to make whomever is harmed whole. But, on the frontend, we do not have the ability of what contracts are being entered, and what protections have been wrapped around the County. Many times, the Legal Department gets the contract after something has "blown up" in it. There are simple things they could have suggested that protects the County as a self-insured body. If there is a rule that they have to come through the Legal Department, it provides a layer of protection to shield taxpayer dollars from being exposed to unlimited liability from people being out there putting the full faith and credit of the County on the line without the Legal Department having an opportunity to protect us. She thinks Mr. Smith makes a good point, and we probably should consider, when we do the County's reorganization, an Office of Contract Administration. We know from the Penny contract that if we had Contract Administrators we would be in a lot better position because somebody would be birdogging it every day. She stated it is unusual in a County this size that the "client" does not have any obligation to present them with a contract before it is signed.

Mr. Livingston inquired what this is going to mean, in terms of resources.

Mr. Smith stated, on the review side, you are talking about 1-2 positions. If you take it further with the Contract Administrator, that is a separate piece.

Mr. Livingston inquired if we can legally stop an Elected/Appointed Officials' contract occurring because we do not approve of it, or are we just putting them on notice that we do not approve of the contract.

Mr. Smith stated, at the end of the day, Council does not authority over Elected Officials. The maker of the motion, when he talked to her about it, the goal of this is for us to have a cooperative effort, so that it protects everybody, including the Elected Officials. To the extent, that they come to us, and ask us to review the contracts. Hopefully, in most of those cases, they will accept our recommendations, in terms of any changes, in the terms and conditions of the

contract. At the end of the day, if something happens, it is our dollars that is on the line because we are self-insured.

Mr. Malinowski stated, after listening to Mr. Smith, it seems we are just scratching the surface if we approve the review of the contracts. We really need to, and it may be more important, to monitor the contracts once issued. He thinks we can move forward with this part, but he thinks we need to also have Mr. Smith come back to this committee with Part II, and some recommendations (i.e. cost, employees, etc.).

Ms. McBride stated, we may not need to employ a person, we may need to contract the work out, depending on the volume of work that is there. Also, we would need to work with Procurement on the monitoring of the contracts.

Mr. Smith stated, right now, as it is currently set up, the Contract Administrators work under Procurement. If we are going to do the 2nd part, that deals with contract administration, we need to work with Procurement on how we are going to do it.

Mr. Malinowski stated, potentially, the Internal Auditor that has been approved.

Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the policy for the review and approval of all contracts and amendments, and to request Mr. Smith to undertake an analysis of what we need to get a Contract Administration Office set up, as well.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

- b. I move that Richland County remove the salary history question on employment applications in an effort to ensure fair hiring practices. The mandated change should apply to employment applications in print and online and the salary history question should also be removed from verbal interviews and employment screenings [TERRACIO] – Ms. Terracio stated the last time this came before the committee the recommendation was that banning the salary history questions really did not make any difference, so we should not do it. There was a little bit of discussion, and she walked away from it with the idea that we should seek other means to insure that we have fair hiring practices and salaries. As she looked through some of the discussion put together by staff, there are some points here that she would like to point out. For instance, employers are unable to let candidates know about a pay disparity early in the interview process, decreasing their interview-to-hire ratio and prolonging their time to hire. Dealing a salary discussion between an employer and a job seeker can add both time and frustration to a job search. She thinks the recommendation is that staff continue to be trained on fair hiring practices to support the objective and spirit of the motion. She would be curious to know what staff has seen as a good first step.

Ms. Myers stated, before she came to Richland County, she had never seen people set salaries based on what people were making in their prior job. She stated there was always a set salary. The person was either qualified for it, or not. She requested Mr. Hanna to explain where this came from, on the government side.

Mr. Hanna stated HR is not against removing the salary question. What they were trying to do, was to give some pros and cons so Council could see various views that are out there. HR thinks removing the salary is a step, but not the total of what needs to be done to get at the essence of the issue. There is no doubt, if you look at the data, there is a variance in salaries. Then, you get into why there is a variance, and certainly some people will say there is voluntary. For example,

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if a woman decides to leave work, or is out of work for a while, to have a child, and she comes back later, she may be behind, in terms of the escalation of her salary. Should the weight of that be borne by just the woman? Certainly there are choices, but those choices were probably not singular choices. If there are intentional, or unintentional bias, that are at play, just removing the salary alone will not address that. Employees need training on how to deal with those things. Also, because we have done it this way for so long, department heads were against it. If you have always done something a certain way, until you are taught to do it a different way, it is normal human nature to resist. Setting the salaries can be done by using the experience of the applicant, education, years of relevant experience, and compare it to the job description, minimum requirements, etc. If we do not provide the training, it will create anxiousness with the department heads/supervisors. If we use historical salaries, we are making an assumption that the other employer precisely and accurately set the applicant's salary. If the salary is not accurate, it perpetuates the applicant being paid less, or more, than they are worth because we are making an assumption based on something another employer has done.

Ms. Terracio stated, on the flip side of the pros and cons, if someone is named Sally, and you do not know her salary history, you might make certain assumptions about Sally that you would not make about Bill. She stated she has been looking at other "Ban the Box" and "Ban the Question" studies, and she understands there is implicate bias built into everything.

Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the receipt of this analysis as information as well as support of fair hiring practices. In addition, to request Mr. Hanna to provide a cost for training for the department heads.

In Favor: Myers, Dickerson and McBride

Opposed: Malinowski

The vote was in favor.

- c. I move that Richland County Council pass the resolution to "Ban the Box" and join more than 150 cities and counties and 33 states nationwide that have "Ban the Box" laws to remove questions about convictions from job applications; so that applications could be judged first on their qualifications [McBRIDE] – McBride stated, given the impact this has on Richland County, and our economic system, she believes it is very important. The motion prohibits employer from asking about criminal history, on the initial job application and interviews. What it does not do is prevent criminal background checks. All of that is still in place. It allows the individual, once they have paid their debt to society, to come and apply for a job, and be interviewed based on his/her merits and qualifications. The one exception, to the resolution, is if it is public safety, or there are positions that the State or Federal government prohibit.

Ms. McBride moved, seconded by Ms. Myers, to forward to Council with a recommendation to authorize staff to revise applicable procedures and forms to enact the resolution and ensure compliance with all applicable requirements for public safety departments, and to train departments on the procedure changes and revised documents.

In Favor: Myers, Dickerson and McBride

Opposed: Malinowski

The vote was in favor.

- d. Residential Utilities Assistance Program – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to create the Residential Utilities Assistance

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Program Fund (APF) as Special Revenue Fund to implement the Residential Utilities Assistance Program (RUAP). The RUAP will assist low-income households with a \$10.00 monthly credit using private donations. These donations may be made to the Residential Utilities Assistance Program Fund to implement the RUAP and provide financial assistance (i.e., \$10 per month) on a first come, first served basis to eligible and qualified low-income households. The fund will be subject to County Council's annual appropriations, and funds will be available each fiscal year until the appropriation is exhausted.

In Favor: Myers, Dickerson and McBride

Opposed: Malinowski

The vote was in favor.

- e. Clemson Road Recycling Drop-Off Site Lease Renewal – Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the proposed lease with Clemson University for use of the Clemson Road Recycling Drop-off Site.

In Favor: Malinowski, Myers, Dickerson and McBride

The vote in favor was unanimous.

- 5 **ADJOURNMENT** – The meeting adjourned at approximately 6:32 p.m.



Richland County Council

ADMINISTRATION AND FINANCE COMMITTEE

June 25, 2019 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Yvonne McBride, Joe Walker and Dalhi Myers

OTHERS PRESENT: Michelle Onley, Larry Smith, Stacey Hamm, Jennifer Wladischkin, John Thompson, Clayton Voignier, Ashiya Myers, Ashley Powell, Sandra Yudice, Art Braswell, Ismail Ozbek, Bill Peters, Angela Weathersby and Nancy Stone-Collum

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
 - a. May 23, 2019 – Mr. Malinowski moved, seconded by Ms. Myers, to defer the minutes until the July committee meeting.

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

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Myers moved, Ms. McBride, to adopt the agenda as published.

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

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**
 - a. On November 16, 2017 the A&F Committee directed the legal department to prepare a structure proposal addressing the creation of a service fee agreement or ordinance for property not taxed in Richland County but receiving all the services that taxpayers do. This matter should be immediately addressed and brought back with the requested information to the June 2019 A&F Committee [MALINOWSKI] – Mr. Malinowski stated, while the information was just handed to us, he would like to go back to the November 16, 2017 meeting, and restate what the motion was, so in deferring this item we can get the correct information back. The motion was as follows: to “request the legal department to prepare a structured proposal, excluding government entities, and bring back to committee”.

Ms. Myers moved, seconded by Mr. Malinowski, to defer this item until the July committee meeting.

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

The vote in favor was unanimous.

- b. The COMET Interest Payments – Dr. Thompson stated this item came before Council, in the past. The bottom line is the Transportation Penny Program receive 4 payments a year from the SC Dept. of Revenue. Along with those payments, there is interest earned. However, the County has withheld interest payments to the COMET. The COMET has restated its case to members of Council, and they are requesting the County to pay them the interest payment in the amount of \$301,984.59.

Mr. Malinowski stated this request came before the Transportation Ad Hoc Committee, not too long ago, and the motion was to deny that request. Council approved the denial of the request, and now they are back making the same request. The reason for the denial is, the COMET was told, based on the Penny Tax, they would get this dollar amount per month for their operations, and overall running of the system. They are getting that dollar amount.

Dr. Thompson stated they are getting that dollar amount on a quarterly basis.

Mr. Malinowski stated, therefore, the fact they are getting what they were promised, from the Penny Tax, he does not believe we should be giving them any additional funds, above and beyond what they were told they would get. Any additional funds should be put into the road program, which we are behind on.

Ms. Myers inquired if there are any legal impediments to withholding or granting the funding.

Mr. Smith stated the agreement, itself, as he recalls, does not address the interest payments. When this matter came before the committee, and Council, as well as the representatives of the COMET, we mutually agreed that the agreement the County has with the CMRTA, to provide them funding, does not address the issue of interest.

Ms. Myers inquired if the referendum addressed the issue.

Mr. Smith stated he does not think the referendum addresses it either.

Ms. Myers stated, though it does not specifically address it, if the money is due them, under the referendum, are we violating it to not give them the interest generated from it.

Mr. Smith stated, he thinks, the amount, which was stated in the referendum, and in the agreement, as he recalls, is being given to the COMET.

Mr. Livingston stated the confusion to him was that he thought the interest was interest that was collected once the funds were in the County's coffers, but that is not the case. This interest is generated before the money gets to the County. He is of the opinion that if we are going to be able to use a certain percentage for roads, then proportionately the RTA should get their proportion for the COMET. Also remember, the referendum clearly talked about a percentage they would get. He would suggest that they get the same proportion of the interest, as that is in the referendum. Why is okay for the Penny Program to get a share, and not the RTA? His recommendation would be that we give them the funds. He thinks, they plan to do some bus shelters, that we need in the County.

Mr. Smith stated, from a legal perspective, that is why this becomes a policy decision, because it is not spoken to in any of the documents.

Mr. Malinowski moved, seconded by Mr. Walker, to deny the request and continue to pay them the referendum amount the voters said they would get.

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Ms. Myers inquired if the COMET is having budgetary constraints or is it they feel they are entitled to it.

Mr. Andoh stated, in the past, the County gave them a budgeted amount. They have since changed that to an actual amount. Back when the County was giving them a budgeted amount, the Penny funds were coming in faster than the budget, so there were funds that were withheld. Since the State Treasurer provides those funds, plus the interest, they were hoping they could get those funds, plus the interest, so they can use it for sustainability of operations.

Ms. Myers stated, basically you are saying, since they are coming in slower, the money is getting held in a place where it is earning interest; therefore, as your money is earning interest, you are asking can you have the interest that it earned.

Mr. Andoh stated that is correct. They want to use the funds for an expansion of the passage amenities program, by adding more bus shelters, earmarked in the unincorporated area.

Ms. Myers inquired how they will pay for the shelters, if they do not get this.

Mr. Andoh stated they will continue to use their Penny funds, but as you know their Penny funds are limited, so they are trying to be strategic with those funds.

Ms. Dickerson stated other organizations are also helping to obtain the shelters. If we do not give the COMET the interest, the shelters will still be provided.

Mr. Andoh stated the project is a combination of using the proposed interest revenue, Federal Transit Administration funds that were recently awarded to the COMET, and the reprioritization of unused funds from the Council of Governments. They are trying to cobble together all the available funding source, so they can provide a comprehensive bus shelter programs. As you are aware, out of 1,430 bus stops only 55 bus shelters exist, in the service area. The Board has determined that we need to get, at least, 15% of our bus stops with some form of a shelter.

Mr. Livingston inquired about what is happening to the interest that is being generated.

Dr. Thompson stated the interest becomes a part of our operating budget.

Mr. Livingston stated that is his argument. It should be a proportionate part of each one's operational budget.

Ms. McBride stated, for clarification, after the Penny Tax ends, the COMET will not have any more funding, so they are trying to build their revenue.

Mr. Andoh responded in the affirmative.

Ms. McBride inquired as to where additional funds will come from, if they do not have a adequate revenue and there is no money left.

Mr. Andoh stated they are starting the strategic process to prepare their request to look at an extension of the Penny, which Council will have to approve putting back on the ballot. Until then, they need to ensure that the COMET provides value to the community by using the using the money and leveraging all available dollars.

Ms. McBride stated it would be good if we could have some kind of reserve fund to help ensure, at the time it is over, to provide funding support.

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Mr. Andoh stated a large portion of the monies withheld in the past went to a newly created reserve fund, and the Board has adopted a policy where we put a portion of the budget of each year in an operating reserve and a portion in an emergency reserve, so they can try to extend beyond the 9-year mark.

Mr. Malinowski inquired if Richland County has given the COMET the dollar amount they were told they would get from the referendum.

Mr. Andoh responded they have not.

Mr. Malinowski inquired why the COMET has not been given the amount.

Dr. Thompson stated the COMET received the 29%, less the interest earned while the monies are in the possession of the SC Dept. of Revenue.

Mr. Malinowski stated he is being told that the COMET has been given the 29%, as outlined in the referendum.

Mr. Andoh stated, as he understands, the 29%, because it is coming from the State, also includes the interest. He is of the opinion because, in the early stages of the Penny Program, the County did not give us the full amount until after the fact, they are not getting the full amount. If they had gotten the actual amount in 2013, until present, then he would had said yes. He stated there is an inconsistency going on from the past to the present.

Mr. Malinowski stated the inconsistency, that he is seeing, is that 29% is 29%.

Mr. Smith stated he cannot attest to what they are being paid.

Dr. Yudice stated, of the funds collected, the CMRTA is receiving the 29%, but not the interest. If Council gives the CMRTA the interest, they will collect the referendum amount sooner than anticipated.

Mr. Malinowski stated he still maintains that, if they are due 29%, is the amount they should be given, not any more. If we give them the interest, and they attain the 29% sooner, that is fine, but 29% of the total referendum amount is the total amount they should receive. He inquired if they were ever promised they would get any more than the referendum amount.

Ms. Myers stated, for clarification, if we paid them the amounts we are paying them, and we paid them the interest payments, you are suggesting that no matter when we pay them the money, and no matter what the source of funds, once they hit that number, we stop payments.

Dr. Thompson stated the amount is \$300,991,000.

Ms. Myers stated, for clarification, so if we were to take it from the General Fund and pay it to them today, once they have gotten that number, you are suggesting that is all they can get. The COMET is saying that the interest should be viewed separately than the Penny because the interest is generated from the money they have received. What staff is saying is, no matter the source of funds, once we hit \$300 million, we stop paying.

Ms. Hamm stated the 29% is of the \$1,000,070,000, which makes up their \$300 million. The interest is above and separate of that. It is not included toward the \$300 million. She has talked with DOR, and that is totally separate from the \$1 billion the Penny collects. The referendum said they get 28% of the Penny collections. It says nothing about the interest that comes in.

Ms. Myers inquired if Ms. Hamm has that in writing from DOR.

Ms. Hamm responded that she did not.

Ms. Myers stated she thinks it would be helpful to have that in writing. She is not opposed to them having the money, but she would like to have something to rely on to make that decision. If you have had that conversation with DOR, we all need that information, as an evaluative matrix.

Ms. Hamm stated the spreadsheet the DOR provides with the collections to-date and it does not include any of the interest money.

Ms. Myers stated, if later we get a ruling that says something different, and we say well here's your spreadsheet, they are going to say we should have asked them questions about the spreadsheet.

Mr. Walker made a substitute motion, seconded by Ms. Myers, to defer this item until the July committee meeting for further legal clarification and a recommendation from staff.

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

The vote in favor was unanimous.

- c. Department of Public Works – Equipment Purchase – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to accept staff's recommendation to purchase a Bomag Landfill Compactor (Model no. BC772RB-4) from Flint Equipment.

In Favor: Malinowski, Walker, Dickerson and McBride

Present but Not Voting: Myers

The vote in favor was unanimous.

- d. Fund Balance for inside and outside departments/agencies receiving funds from Richland County should not exceed a certain percentage of their operating budget. This is required to address this matter and determine what reasonable percentage that should be [MALINOWSKI] – Mr. Malinowski moved, seconded by Ms. Myers, to have discussion, with his colleagues, to see if this is something that we should be looking into, and, if so, what percentage.

Ms. Myers stated she read the staff's briefing document, and she understands what the staff is saying, but we have internal and external agencies whose fund balances equal, or exceed, the amount they are asking for in funding. To the extent, we are giving them money that we have taken from the taxpayer, if Council does not have the ability to say you cannot sit on twice your budget, and then ask us to fund your budget again, who does. It would seem, to her, there has to be greater analysis given to how we get to an answer to this question. We have to have a mechanism to say to them, we will only allow you to hold to "X" percent, of the amount you are requesting, above your budget.

Ms. Myers moved, seconded by Mr. Malinowski, to send this back to staff, and request they give some guidance, department by department, agency by agency, as to what is a reasonable fund balance.

Mr. Malinowski stated where staff says, "Staff recommends not having one set percentage for inside and outside departments receiving funds from Richland County due to the varying nature

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of the different funds”, he would like to remind staff that, if agencies budget properly, they do not need huge fund balances because Council, more than not, provides the funds needed for an agency to operate on an annual basis. If unforeseen needs arise, they can request a budget amendment.

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

The vote in favor was unanimous.

- e. Department of Public Works – Solid Waste Area 4 Collections Contract – Mr. Braswell stated the current contract expires December 31, 2019. Waste Industries has been doing a good job, in Area 4, for the past 4 ½ years. The Procurement code does allow Council to renew and renegotiate contracts, if it is in the best interest of the County. Negotiating a contract with Waste Industries will prevent disruption of service and allow time for the Solid Waste Division to evaluate Waste Industries performance and effectiveness using the new route management system, which is scheduled to go online in July. Negotiations to extend the contract will address the adjustments to the contract, based on actual Consumer Price Index, and not the 3.5% that was in there automatically every year, which should be a substantial savings to the County over the next 5 years. Any increase would not take place until January 2020, and staff recommends approval to renegotiate the contract.

Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to direct staff to negotiate amendments to extend the contract for Service Area 4 with Waste Industries, to include adjustments to the contract based on the actual Consumer Price Index (CPI), fuel surcharges, and hauler performance. Further, if the renegotiations are consistent with the recently awarded contracts for Areas 5A, 5B, and 7, that award of the renegotiated contract is also authorized.

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

The vote in favor was unanimous.

- f. Department of Public Works – Private Road Takeover – Mr. Malinowski moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to accept staff’s recommendation to approve the recommendation of the evaluation committee to select Weston and Sampson Engineers, Inc. for the Private Road Takeover project.

Ms. Myers stated she understands what staff is saying, and she agrees with it in principle. She stated with all the trouble we are currently having with roads, she does not know how we got to this list, and she does not know where this list of roads, and their repairs, will fit in the overall scheme. She thinks we previously asked to have an overall plan for roads in the County. She is a little bit nervous that we would now be taking over roads, and have those roads leapfrog all of the other roads our constituents have been concerned about for some time. She would like to know how these roads will fit in with the general priority of roads, and how that will impact the constituents.

Mr. Ozbek stated this goes back to 2012, which predates him. Council made the decision to take over 40 roads. The roads were orphaned by developers either because of bankruptcy or neglect. The decision, at the 2013 Council Retreat, was that the County was going to take over these roads, at their current condition. The roads did not meet the County’s road standards. The 40 roads are already ours, and under maintenance of Public Works. In order for the County to take over the roads, we had to get the deeds and right-of-ways for the properties, which took years of effort to get for 26 properties. There is \$900,000 of seed money to get the repairs started. Public Works is in the process of doing design for the repairs on the 26 roads. They have been doing

small repairs (i.e. pothole repairs). Several years, Council members brought up other roads, so the 40 roads have grown to possibly 400 roads. The former Planning Director, Tracy Hegler, and himself, gave Council a presentation of all them, and a list of 103 roads, with a price tag of \$8 million, which has now been increased to \$9 million.

Ms. Myers inquired if they are planning to use the entire Public Works fund balance to do those roads.

Mr. Ozbek stated there is no funding that has been assigned on the future takeover of the private roads. What is before you, is the selection made by the Procurement Department for a consulting engineer to go out and give us a set of plans for us to bid out. It is going to come back to Council, at some point.

Mr. Jackson stated the only thing he would say is that we should be consistent with what we do, so that any practice that we have implemented with regards to the Penny Program, and we are being asked to massage and improve. He believes this should be considered in the same vein, so we do not run into the same problem that we are running into with the Penny Program.

Mr. Malinowski stated, currently, Richland County does repair on roads, correct?

Mr. Ozbek responded in the affirmative.

Mr. Malinowski stated, if we end up having a situation where the repair is more than what we can handle in-house, we contract it out to somebody that can do it.

Mr. Ozbek responded in the affirmative.

Mr. Malinowski inquired, if we normally do that, why do we need to go to a consultant, and spend \$150,000, to design the repair of the road.

Mr. Ozbek stated these repairs are beyond a simple pothole repairs.

Mr. Malinowski stated, but they are not beyond the expertise of companies that already exist out there and do it. So, why are we not asking for qualifications from a company, to hire them to do the repairs. Why are we putting a middle person in there to go out and design repairs?

Mr. Ozbek stated there are no companies that do design and repairs. It is a 2-step process.

Mr. Malinowski stated he thinks we need to look at which of the roads really need repair, and not go out and resurface something, if it does not need it, to the exclusion of the other roads that are in worse condition. If we have gotten right-of-ways for the 26, then we go with the 26 and cancel the rest out.

Ms. McBride stated we do not know how the roads look now. There could be some that look worse than these.

Mr. Ozbek responded that we do. These roads are ours.

Ms. McBride inquired, if they have looked at all the roads in Richland County, and these are still the priority roads.

Mr. Ozbek responded this has nothing to do with the Penny Program, or the prioritization of the roads. Unfortunately, these came after the prioritization of the Penny. We did not own them, or

have the right-of-ways. These were private roads. Over the years, we were able to accumulate them.

Ms. McBride inquired, if these are the only roads, that are private, and the County is providing funding for. She inquired about the 14 roads that we do not have right-of-ways on.

Mr. Ozbek stated they are still private roads. There is no priority, at this time. That is why they need the consultant. In order to put these out for bid, for construction and repairs, we need the assistance of engineering firms.

Ms. McBride inquired if the consultant will look at all 40 roads, or just these.

Mr. Ozbek stated just the 26 roads.

Ms. McBride stated, for clarification, we had no input on these roads, so we do not know what is going on with the other 14 roads. They could be worse off than these.

Mr. Ozbek responded in the affirmative.

Ms. Myers stated we need a policy before we can start sending people out to repair this road, over that one. They do not have any guidance. They are trying to do their best, but we do not have a policy. We need to harmonize a policy for roads in Richland County.

Ms. Myers made a substitute motion, seconded by Ms. McBride, to defer this item to the October committee meeting.

Mr. Malinowski inquired if the deferral is also a request for them to bring a policy back.

Ms. Myers stated she believes Council is at the point where it is being forced to look at a policy. The transportation issues, coming out of the Transportation Ad Hoc Committee, are going to force the policy discussion.

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

The vote in favor was unanimous.

- g. Award for Delinquent Tax Notice Posting – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to accept staff's recommendation to award a contract to Palmetto Posting for the posting of delinquent tax notices for Richland County.

Mr. Malinowski stated, in the past, when you go through the delinquency, there are some properties that have been requested to be reviewed to ensure there is no one to go after the funds for. He inquired if that has been done for those requests over the last couple years.

Mr. Adams stated those are turned over to the Assessor's Office because they handle the ownership information. If the property is found to be either a rental property, or an abandoned property, then it automatically goes to 6% tax rate. Then, it starts going through the process. The person has the opportunity to appeal that decision. If they still do not pay, they will run into this delinquent process, which includes the posting of the property.

Ms. McBride inquired if the evaluators were 3 different groups.

Mr. Adams stated they were the head of the Delinquent Tax Office, the Deputy Treasurer, and himself.

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Ms. McBride stated she noticed a significant difference in Evaluator 1 and Evaluator 3. Is there an evaluation tool that provides criteria on technology, and how you rank them?

Mr. Adams stated the way he used it was, in reviewing the technology, of the 2 groups that submitted their responses. When he is looking at it, he does not have an IT grid, but he does have the businesses responses that either meet what our checklist is, or do not.

Ms. McBride stated, for clarification, the people that evaluated are qualified in this area.

Mr. Adams stated the criteria they have, in their office, is State law. State law says they have to proceed in certain manners, on different types of notifications to the public. In this case, there are certain ways in which we have to go through and post about 3,000 properties each year.

Mr. Malinowski stated, based on the evaluation system we have, one company could score 5 – 10 point higher than the 2nd one, but we do not know a cost at that point.

Mr. Adams stated, in a lot of these cases we can ask, but it is not required. Usually that is a part of the negotiation after you have selected the best service provider.

Ms. Wladischkin stated, at the time the packages are evaluated, by the evaluators, they do not know the costs, so it cannot influence their decision in any way because it is a negotiated process. Once the submittals are ranked, then Procurement looks at a cost, and it is given a score, based on who is highest/lowest. Then, when it comes to the next step, where they are ranked, then the department is involved for the negotiation process.

Mr. Adams stated this is a revenue account and is paid for by delinquent taxpayers only. This does not come from the general taxpayers. On average, it costs \$85 per delinquent taxpayer.

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

The vote in favor was unanimous.

- h. Fleet Maintenance Services Contract Award – Ms. Myers moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to accept staff's recommendation to approve the contract with First Vehicle Services for the provision of fleet maintenance and repair services to the Richland County fleet.

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

The vote in favor was unanimous.

- i. EMS Billing and Collections Services Contract – Ms. Myers moved, seconded by Mr. Walker, to forward to Council with a recommendation to accept the staff's recommendation of awarding the contract to EMSMC for EMS billing and collections services.

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

The vote in favor was unanimous.

- j. Town of Eastover Sewer Bills – Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve staff's recommendations as follows:

- 1. Per the June 23, 1998, intergovernmental agreement between Richland County and the Town of Eastover, staff recommends the following:

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- a. The County stops paying monthly land lease (\$3,166.66) where the wastewater treatment plant (WWTP) is located in Lower Richland;
 - b. The County applies this amount toward the delinquent sewer user fees indefinitely;
 - c. The Acting County Administrator issues a 30-day disconnection notice to Town of Eastover followed with performing disconnection, as necessary, if the Town does not pay past due invoices;
 - d. The Acting County Administrator be authorized to exercise any actions including legal or collection, enabling Richland County to recover the lost fees associated with the services provided to Town of Eastover;
2. Staff also strongly recommends revisiting the 1998 IGA to a Satellite Sewer Agreement (SSA) covering all the regulatory and financial exposures that the current agreement may have. Note that a SSA is a recommended practice and serves the best interest of environment, public health, and the overall good for all parties.

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

The vote in favor was unanimous.

- k. Columbia Housing Authority Vehicle Donation – No action was taken.

5 **ADJOURNMENT** – The meeting adjourned at approximately 6:54 p.m.



Agenda Briefing

To: Chair Joyce Dickerson and Members of the Committee
Prepared by: Larry Smith, County Attorney
Department: County Attorney's Office
Date Prepared: June 11, 2019 **Meeting Date:** June 25, 2019
Committee: Administration and Finance
Subject: Structured Proposal: Non-Taxed Property

Motion of Origin:

On November 16, 2017 the A&F Committee directed the legal department to prepare a structured proposal addressing the creation of a service fee agreement or Ordinance for property not taxed in Richland County but receiving all the services that taxpayers do. This matter should be immediately addressed and brought back with the requested information to the June 2019 A&F Committee.

Council Member	Bill Malinowski
Meeting	Regular Session
Date	June 04, 2019

Discussion:

At its June 25, 2019 meeting, the Administration and Finance Committee deferred the matter.

Attachments:

1. Attorney-Client Privileged Communication



Agenda Briefing

To: Chair Joyce Dickerson and Members of the Committee

Prepared by: Eden Logan, MBA, Administrative Assistant

Department: Transportation

Date Prepared: May 31, 2019

Meeting Date: June 25, 2019

Legal Review	Larry Smith via email	Date:	May 31, 2019
Budget Review	James Hayes via email	Date:	May 31, 2019
Finance Review	Stacey Hamm via email	Date:	May 31, 2019
Approved for Council consideration:		Acting County Administrator	John M. Thompson, Ph.D., MBA, CPM

Committee: Administration & Finance

Subject: The COMET's Request for Payment of Interest Earned on its Portion of the Penny Sales Tax Revenues

Recommended Action:

Staff does not have a recommendation as this is a policy decision. The current IGA does not provide for the payment of the interest to the Comet

Motion Requested:

1. Approve the interest payment of \$301,984.59 withheld from The Comet since the inception of the Richland County Transportation Penny Program, or
2. Deny the interest payment of \$301,984.59.

Request for Council Reconsideration: Yes

Fiscal Impact:

To date, the SC Department of Revenue (DOR) has disbursed \$1,073,532.15 in interest payments to the County. Per Section 2(c) of Ordinance No. 039-12HR, the COMET is funded \$300,991,000 or 28.13% of the \$1,070,000,000 of the Transportation Penny funds. Thus, 28.13% of the earned interest to date yields \$301,984.59.

Motion of Origin:

This request did not originate from a Council Motion.

Council Member	
Meeting	
Date	

Discussion:

On July 10, 2018, the referenced item was presented at the Transportation Ad Hoc Committee meeting with a recommendation to approve the back payments and eliminate all language in the Intergovernmental Agreement regarding interest payments. At its regular session meeting on July 10, 2018, County Council approved the committee's recommendation.

On May 24, 2019, John Andoh, Chief Executive Officer/Executive Director of the COMET met with Council Chair Paul Livingston, Administration & Finance Committee Chair Joyce Dickerson, Transportation Ad Hoc Chair Calvin "Chip" Jackson, and Acting County Administrator John M. Thompson to appeal to the County to reconsider its previous decision to withhold the interest payment from The COMET. The interest is generated while the sales tax revenue is held by the South Carolina Department of Revenue and disbursed to Richland County along with the earned sales tax revenues on a quarterly basis. Based on this meeting, Mr. Livingston, Mrs. Dickerson, and Mr. Jackson concurred with the COMET's request to be presented to the Administration & Finance Committee.

At its June 25, 2019 meeting, the Administration and Finance committee deferred this matter.

Attachments:

1. Minutes from the July 10th Special Called County Council Meeting
2. Interest Earned

- d. Discussion: Transportation Penny funds being utilized for the following facilities at Three Rivers Greenway – Mr. C. Jackson stated this item was held in committee.
1. Bathrooms
 2. Parking Lot
 3. Ranger Station
 4. Fire Department

- e. Status Update: The Dirt Road Program over-committed projects Years 1 and 2 workload has not been completed. Years 3 and 4 are in the design phase. – Mr. C. Jackson stated this item was received as information.

- f. Approval of the University of South Carolina’s Funding Request and Proposed Modifications to Three Bike Path Projects – Mr. C. Jackson stated the recommendation is to approve the funding, and the modifications, pending information regarding stakeholder meetings and the community’s support for the projects. Moreover, staff will develop a MOU and attach the SCDOR Guidelines to the approval.

In Favor: Malinowski, C. Jackson, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- g. Approval of the MOU between Richland County and the Central Midlands Regional Transit Authority (CMRTA) for distribution of past unpaid actual Revenues (\$5,060,039.96) and interest (\$230,926.13) to begin in Fiscal Year 2019 paying CMRTA based on actual revenues and interest from the Penny Funds – Mr. C. Jackson stated the recommendation is to fund the back payment; however, to eliminate all language in the MOU regarding interest payments, prior to executing the new agreement.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- h. Approval of Polo Road Right of Way Easement with the City of Columbia – Mr. C. Jackson stated this item was held in committee.

- i. Approval of the Construction Agreement for Installation of Sidewalk for the Three Rivers Greenway (Saluda Riverwalk) adjacent to the CSXT Bridge approximately 30-feet from centerline of track at RRMP C-1.58 near DOT No. 640441N, Florence Division, CN&L Subdivision pending Legal’s comments being addressed – Mr. C. Jackson stated this item was held in committee.

- j. Approval of letters recommending awarding bids – Mr. C. Jackson stated the recommendation is to approve this item.

1. Sidewalk Package S-6
2. Dirt Road Package G
3. Dirt Road Package H
4. Resurfacing Package O

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Transportation Penny

Date Received	Amount	Interest	CMRTA pay date	Amount Paid		
				CMRTA	28.13%	28.13% Interest
10/10/2013	12,284,838.45	34,173.79	11/6/2013	3,465,338.14	3,455,725.06	9,613.09
1/13/2014	12,812,647.54	33,849.77	2/5/2014	3,613,719.69	3,604,197.75	9,521.94
4/16/2014	13,750,759.58	36,395.52	5/28/2014	3,878,326.73	3,868,088.67	10,238.06
7/16/2014	14,138,345.14	35,700.91	6/30/2014	3,987,159.15	3,977,116.49	10,042.67
10/13/2014	14,586,395.85	38,449.68	11/18/2014	4,103,153.15	4,103,153.15	10,815.89
1/23/2015	13,835,682.55	32,932.37	2/12/2015	3,901,241.38	3,891,977.50	9,263.88
4/24/2015	14,903,853.11	39,852.71	6/10/2015	3,557,250.00	4,192,453.88	11,210.57
7/29/2015	15,304,369.58	38,949.88	9/29/2015	3,561,258.00	4,305,119.16	10,956.60
10/23/2015	14,751,243.84	39,119.53	10/30/2015	3,825,680.00	4,149,524.89	11,004.32
1/20/2016	14,646,835.18	38,300.41	2/17/2016	3,825,680.00	4,120,154.74	10,773.91
4/16/2016	15,446,305.04	39,986.64	5/25/2016	3,825,680.00	4,345,045.61	11,248.24
7/27/2016	16,679,954.70	59,534.17	8/17/2016	3,825,680.00	4,692,071.26	16,746.96
10/20/2016	14,676,846.31	40,874.56	11/8/2016	4,194,886.25	4,128,596.87	11,498.01
1/19/2017	17,238,130.86	59,361.72	3/16/2017	4,194,886.25	4,849,086.21	16,698.45
4/12/2017	16,309,793.40	64,333.24	5/3/2017	4,194,886.25	4,587,944.88	18,096.94
7/24/2017	16,111,957.79	37,625.56	9/6/2017	4,194,886.25	4,532,293.73	10,584.07
10/19/2017	15,971,887.97	44,244.16	11/7/2017	4,194,886.25	4,492,892.09	12,445.88
1/18/2018	16,233,770.46	54,152.77	2/21/2018	4,690,747.75	4,566,559.63	15,233.17
4/12/2018	16,623,535.86	53,215.33	4/26/2018	4,442,817.00	4,676,200.64	14,969.47
7/20/2018	16,342,091.64	59,905.25	8/3/2018	4,597,030.38	4,597,030.38	16,851.35
10/17/2018	16,788,900.53	39,992.88	11/1/2018	9,832,757.68	4,722,717.72	11,250.00
1/22/2019	16,975,707.04	92,504.34	1/31/2019	4,725,266.39	4,775,266.39	26,021.47
4/12/2019	17,592,771.79	60,076.96	4/17/2019	4,948,846.70	4,948,846.70	16,899.65
	354,006,624.21	1,073,532.15		99,582,063.39	99,582,063.39	301,984.59



Agenda Briefing

To: Committee Chair Joyce Dickerson and Members of the Committee
Prepared by: Stacey Hamm, Director, Finance
James Hayes, Director, Office of Budget and Grants Management
Department: Finance and the Office of Budget and Grants Management
Date Prepared: July 09, 2019 **Meeting Date:** July 23, 2019

Legal Review	Elizabeth McLean via email	Date:	July 15, 2019
Approved for Council consideration:	Assistant County Administrator	Sandra Yúdice, Ph.D.	
Committee	Administration and Finance		
Subject:	Fund Balance for inside and outside departments		

Recommended Action:

Staff recommends adopting a Fund Balance policy for other funds and outside agencies as presented.

Motion Requested:

I move to adopt the Other Fund Balance policy presented by staff.

Request for Council Reconsideration: Yes

Fiscal Impact:

The financial impact would be use of the available fund balance for one-time expenditures identified during the budget cycle.

Motion of Origin:

“Fund Balance for inside and outside departments/agencies receiving funds from Richland County should not exceed a certain percentage of their operating budget. This is a request to address this matter and determine what reasonable percentage that should be.”

Council Member	Bill Malinowski, District 1
Meeting	Regular Session
Date	June 4, 2019

Discussion:

The Government Finance Officers Association (GFOA) recommends that governments establish a fund balance policy for the general fund. The County's policy establishes the balance of the General Fund to be 20% to 35% of total audited General Fund expenditures for the previous fiscal year. Those departments not funded by the General Fund (i.e., Neighborhood Development) are funded by Special Revenue Funds. The outside agencies such as the Richland Library are millage agencies that have their own boards that set their fund balance policy. The GFOA's best practices imply the use of fund balances should be prohibited as a funding source for ongoing recurring expenditures.

A special revenue fund is an account established by a government to collect money that must be used for a specific purpose. Special revenue funds provide an extra level of accountability and transparency to taxpayers that their money will go toward an intended purpose. The Government Accounting Standards Board (GASB) issued Statement No. 54 in 2011, to clarify the definition of special revenue funds. From the Statement:

“Special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects.”

Each special revenue fund has its purpose as well as risks to consider. For example, the Economic Development fund should build a fund balance able to fund one-time projects attracted to Richland County. The Hospitality Fund should have money available for one-time projects or the ability to borrow funds for larger projects with a good bond rating.

Each special revenue fund has a different specified purpose that requires different levels of funding. It is essential that governments maintain adequate levels of fund balance to mitigate current and future risk such as revenue shortfalls and unanticipated expenditures as well as to ensure stable tax or fee for services rates. Each of the special revenue funds should consider its own unique circumstances. Funds that have volatile revenue sources or that are potentially subject to cuts in state aid or federal funding may require maintaining a higher fund balance. In establishing a policy for a fund, the government should consider a variety of factors, including:

1. The predictability of its revenue and the volatility of its expenditures.
2. Its perceived exposure to significant one-time outlays.
3. The potential impact on the bond rating and the corresponding increased cost of borrowed funds when the fund's revenues are pledged to repay the debt.

The County should maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls or unpredicted one-time expenditures. Since there are several purposes of special revenue funds, the policy should cover four (4) broad types of funds taking into consideration the variety of factors.

1. Zero Fund Balance in fund.

These would be the grant funds and funds that typically are negative (i.e., Victim's Rights, Public Defender and Accommodations).

2. Funds that should maintain 4 months of operating expenditures.

These funds would maintain enough funds to cover expenditures due to volatility in revenue or expenditures (i.e., Stormwater Management, Road Maintenance).

3. Funds that maintain four (4) months of operating expenditures and funds for capital outlays.

These funds would require four (4) months of expenditures due to volatility in revenue and expenditures but would also be exposed to one-time capital outlays on a regular basis (i.e., Emergency Telephone System, Fire Service, Conservation Commission and Neighborhood Redevelopment).

4. Funds that have significant capital outlays as a purpose of the fund should have an unrestricted fund balance.

These funds, such as Transportation Tax and Economic Development, would have fund balances available for identified capital projects as well as funds for incentives to attract companies. The Hospitality Tax fund would also have a balance for debt coverage requirements and capital projects to be funded with the balance or used to pay debt for larger anticipated projects.

The outside agencies' percentage of county revenue to the total revenue and the fund balance of the unassigned fund balance percentages are provided for Council review. It will be a Council decision during the budget cycle on how to handle these balances. The majority of the agencies have a 20% or lower fund balance similar to the County's fund balance policy for the general fund. It is important to remember these funds are to be used for non-recurring expenditures.

Outside Agencies	Revenue Provided by County	Total GF Revenue	Percentage of overall Revenue	Unassigned Fund Balance	Percentage of Unassigned FB to Rev
SD #1	195,679,709	301,084,110	65.0%	2,224,684	0.7%
SD #2	152,292,647	267,007,039	57.0%	52,973,547	19.8%
Zoo	2,306,074	17,723,402	13.0%	3,691,892	20.8%
Library	26,698,677	27,404,705	97.4%	4,435,589	16.2%
Recreation Commission	14,161,982	15,862,703	89.3%	9,046,112	57.0%
Midlands Tech	5,861,027	104,375,883	5.6%	-35,525,283	-34.0%

Attachments:



Agenda Briefing

To: Chair Joyce Dickerson and Members of the Committee
Prepared by: Bill Peters, Manager, Fleet
Department: Risk Management
Date Prepared: June 07, 2019 **Meeting Date:** June 25, 2019

Legal Review	Elizabeth McLean via email	Date:	June 18, 2019
Budget Review	James Hayes via email	Date:	June 12, 2019
Finance Review	Stacey Hamm via email	Date:	June 11, 2019
Other Review:	Jennifer Wladischkin via email	Date:	June 18, 2019
Approved for Council consideration:	Acting County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Vehicle Donation to the Columbia Housing Authority		

Recommended Action:

Council is requested to approve the donation of four retired RCSD vehicles to the Columbia Housing Authority.

Motion Requested:

I move to approve the donation of four retired Richland County Sheriff’s Department vehicles to the Columbia Housing Authority for use by their police personnel.

Request for Council Reconsideration: Yes

Fiscal Impact:

These units have been replaced and would normally be sold at auction. The fiscal impact would be the loss of auction revenue for their sale. Although the return varies depending on the particular unit sold, the average return to the County would be around \$1,500 - \$2,000 per unit.

Motion of Origin:

This is a staff initiated request, at the request of the Columbia Housing Authority.

Council Member	
Meeting	
Date	

Discussion:

The Columbia Housing Authority (CHA), in need of four units for their police department, has requested the County to donate retired Richland County Sheriff's Department vehicles. The attached letter detailing the request from the CHA Executive Director, Mr. Gilbert Walker, was delivered to the County Fleet Manager. County Fleet will identify four units that may be acceptable for reissue to the CHA for their use should County Council authorize the donation.

Attachments:

1. Correspondence from the Columbia Housing Authority



THE HOUSING AUTHORITY

of the City of Columbia, South Carolina
1917 HARDEN STREET • COLUMBIA, S.C. 29204-1015
TELEPHONE (803) 254-3886
TDD (803) 256-7762

Attachment 1

April 5, 2019

Office of Risk Management
400 Powell Road
Columbia, SC 29203

Re: Donated Vehicles

Dear Sir:

This is a formal request letter to the Richland County Council requesting four vehicles to be donated to the Columbia Housing Authority from Richland County.

According to Mr. Bill Peters, two Ford 2014 Taurus vehicles have already been identified and are waiting to be brought into the maintenance shop to be looked over. Also, we are requesting possibly two Chevrolet Tahoe sport utility vehicles.

Again, thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "G Walker".

Gilbert Walker
Executive Director

aml



Agenda Briefing

To: Chair Joyce Dickerson and Members of the Committee
Prepared by: Clayton Voignier, Director
Department: Community Planning and Development
Date Prepared: June 03, 2019 **Meeting Date:** June 25, 2019

Legal Review	Elizabeth McLean via email	Date:	June 19, 2019
Budget Review	James Hayes via email	Date:	June 18, 2019
Finance Review	Stacey Hamm via email	Date:	June 18, 2019
Approved for Council consideration:	Assistant County Administrator	Ashley Powell, Assoc. AIA, AICP	
Committee	Administration and Finance		
Subject:	Homes of Hope/South Edisto Project		

Recommended Action:

Staff recommends:

1. Approve the funding request from Homes of Hope, Inc. in the amount of \$350,000 as a one-time grant, which will be used for land acquisition for the South Edisto proposed project to develop 29 affordable rental units for low to moderate income families or individuals; OR
2. Deny the funding request from Homes of Hope, Inc. in the amount of \$350,000 as a one-time grant, which will be used for land acquisition for the South Edisto proposed project to develop 29 affordable rental units for low to moderate income families or individuals.

Motion Requested:

Motion options:

1. Move to approve the funding request from Homes of Hope, Inc. in the amount of \$350,000 as a one-time grant, which will be used for land acquisition for the South Edisto proposed project to develop 29 affordable rental units for low to moderate income families or individuals; OR
2. Move to deny the funding request from Homes of Hope, Inc. in the amount of \$350,000 as a one-time grant, which will be used for land acquisition for the South Edisto proposed project to develop 29 affordable rental units for low to moderate income families or individuals.

Request for Council Reconsideration: Yes

Fiscal Impact:

Funds are available in CDBG FY18 grant budget – Housing Revitalization (5267) and Construction (5322) – for the \$350,000 request.

Motion of Origin:

This request did not originate from a Council motion.

Council Member	
Meeting	
Date	

Discussion:

The Homes of Hope/South Edisto Project is a proposed \$5.3 million joint affordable rental housing project between the City of Columbia, Richland County, and Homes of Hope, Inc. to develop 29 rental units for families or individuals earning less than 100% of the Area Median Income (AMI) located near Edisto Discovery Park within the City of Columbia’s jurisdictional limits. Eight (8) of these units are designated for families or individuals earning less than 80% of AMI. Homes of Hope, Inc. is requesting \$350,000 in Community Development Block Grant (CDBG) funds from Richland County in the form of a one-time grant, which will be used for land acquisition for the project.

The U.S. Department of Housing and Urban Development (HUD) approved Richland County’s CDBG and HOME 2018-2019 Annual Action Plan, which identified this project for funding in FY2018-2019. However, the project was not identified for funding in the FY2018-FY2019 Annual Action Plan Budget for CDBG funds as approved by County Council on July 10, 2018.

The former Community Development Division Manager issued a commitment letter to Homes for Hope, Inc. on August 27, 2018 for the requested funds contingent upon several conditions. Homes for Hope, Inc. responded via email to the commitment letter accepting the conditions for funding. A revised commitment letter was issued on March 28, 2019 with one additional condition for funding. County staff has verified that Homes for Hope, Inc. has satisfied three out of the four conditions.

The following list represents the funding partners and other sources of funding for the project:

1. The City of Columbia committed \$601,949, \$300,975 of which is a forgivable grant and the remaining \$300,974 is a loan with an amortization term of 30 years at 1 percent interest with a 20-year balloon note.
2. Homes of Hope (HOH) Equity is investing \$400,000 with no expectation of reimbursement to the equity fund.
3. The seller of the land, CDC, Inc., committed \$278,000 in the form of a loan with an amortization term of 20 years at 3 percent interest.
4. Capital Bank committed the remaining project funds in the amount of \$3,705,051 in the form of a loan with an amortization term of 25 years at 4.79 percent interest.

Attachments:

1. Homes of Hope, Inc. Request for Funding Letter (May 28, 2019)
2. Richland County CDBG and HOME 2018-2019 Annual Action Plan (page 45-46)
3. Council Minutes July 10, 2018 (page 18)
4. FY2018-2019 Annual Action Plan Budget approved by Council
5. Homes of Hope, Inc. Commitment Letter (August 27, 2018)

6. Homes of Hope, Inc. Commitment Letter Acceptance Email (September 13, 2018)
7. Homes of Hope, Inc. Revised Commitment Letter (March 28, 2019)
8. Homes of Hope/South Edisto Project Budget

May 28, 2019

Clayton Voignier, CCEP, CGAP
Director—Richland County Government
Community Planning & Development Department
2020 Hampton St.
P.O. Box 192
Columbia, SC 29202

Clayton,

Thank you for all that you and your staff and department do for Richland County and its citizens. I am pleased to have the opportunity to be associated with the great work you have done, and are doing.

Per your request today in our conversation today, and per our work with Valeria over the past 12 months, this is a formal written request for support of our affordable housing development called Edisto Place in the amount of a \$350,000 CDBG grant, that was previously committed via letter dated 3/28/19. And while this support had already been given us via this same letter, and per numerous conversations and emails and meetings, we understood then that it was contingent upon final approval by County Council, and thus we understand now that this process will still have to take place.

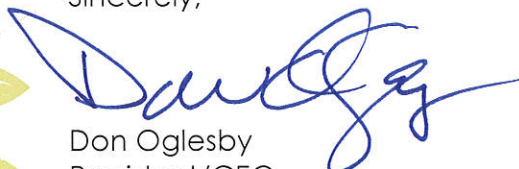
Our plan, as you know, will be to develop 29 housing units affordable to families/individuals earning less than 100% AMI for Richland County, with 8 of them affordable to families earning less than 80% AMI. It is understood that these 8 units for families earning less than 80% AMI will be the units that the CDBG funds will be used for, via land acquisition, which is an eligible cost for CDBG funds.

You are in possession of our development budget which also shows sources and uses of funds and shows the CDBG funds going towards site acquisition.

We also look forward to working with you to develop partnerships with local organizations that would potentially participate in the project such as local contractors, property managers, etc.

Thank you for your consideration of this request.

Sincerely,



Don Oglesby
President/CEO
Homes of Hope, Inc.

	Needs Addressed	
	Funding	HOME: \$72,203
	Description	Administration
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	HOME Program Management
15	Project Name	Shakespeare Crossing - Phase 3 (Infrastructure) Carryover Funds
	Target Area	Trenholm Acres/New Castle
	Goals Supported	Affordable rental housing
	Needs Addressed	Public improvements and infrastructure
	Funding	Entitlement: \$210,000
	Description	Infrastructure improvements for a 20 plus affordable housing project
	Target Date	9/30/2019
	Estimate the number and type of families that will benefit from the proposed activities	up to 20 affordable housing units will be provided infrastructure improvement assistance
	Location Description	
	Planned Activities	Infrastruture improvements
16	Project Name	Homes For Hope/South Edisto Project
	Target Area	County-wide
	Goals Supported	Affordable rental housing
	Needs Addressed	Revivification of dilapidated/abandoned properties Production of new affordable housing units
	Funding	Entitlement: \$350,000
	Description	A collaborative effort of City and County for
	Target Date	9/30/2019

Estimate the number and type of families that will benefit from the proposed activities	Mixed Income Single Detached Housing Units of 24 units of which will be for 80% and below LMI
Location Description	Edisto Court, Edisto Research Park, Adjacent to Rosewood Hills Community (A CHA Planned Development)
Planned Activities	Acquisition and other soft costs for units that are for mixed use housing



Richland County Council
Special Called
July 10, 2018 – 6:00 PM
Council Chambers

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Calvin “Chip” Jackson, Norman Jackson, Gwen Kennedy, Paul Livingston, Jim Manning, Yvonne McBride, Dalhi Myers, Greg Pearce and Seth Rose

OTHERS PRESENT: Michelle Onley, Beverly Harris, James Hayes, Kim Williams-Roberts, Cathy Rawls, Trenia Bowers, John Thompson, Brandon Madden, Jennifer Wladischkin, Tracy Hegler, Sandra Yudice, Stacey Hamm, Ismail Ozbek, Eden Logan, Larry Smith, Dwight Hanna, Tim Nielsen, Synithia Williams, Art Braswell, Stephen Staley, Shahid Khan, Michelle Rosenthal, Jamelle Ellis, and Bryant Davis

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:00 PM.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson praised the Lord for all of the people getting out of the cave in Thailand.

2. **INVOCATION** – The invocation was led by the Honorable Norman Jackson

3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Norman Jackson

4. **APPROVAL OF MINUTES**

- a. Budget – 2nd Reading: June 14, 2018 – Ms. McBride moved, seconded by Ms. Myers, to approve the minutes as published.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. Regular Session: June 19, 2018 –Mr. Pearce moved, seconded by Ms. Kennedy, to approve the minutes as published.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

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- c. Zoning Public Hearing: June 26, 2018 – Ms. Myers moved, seconded by Mr. Malinowski, to approve the minutes as published.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

5. **ADOPTION OF THE AGENDA** –Mr. Smith stated the following item needs to be added under the Report of the Attorney for Executive Session: Pending Litigation - Richland County, et. al. vs. South Carolina Department of Revenue.

Ms. Myers moved, seconded by Mr. C. Jackson, to adopt the agenda as amended.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** – Mr. Smith stated the following items are eligible for Executive Session.

- a. Intertape Polymer Group, Inc. Property Donation
- b. Contract with Recreation Commission
- c. Contractual Matter: 911 Communications Center
- d. Richland County, et. al. vs. South Carolina Department of Revenue
- e. County Administrator Search Firms
- f. Personnel Matter: Current Assistant County Administrator/Acting County Administrator
- g. Personnel Matter: Clerk to Council Contract

7. **CITIZENS' INPUT: For Items on the Agenda Not Requiring a Public Hearing:** No one signed up to speak.

8. **REPORT OF THE ASSISTANT COUNTY ADMINISTRATOR**

- a. Health Savings Account –Dr. Yudice stated this item is the Health Savings Account for the upcoming health insurance plan year. The County will be expanding options for County employees by offering a Health Savings Account (a/k/a HSAs). These accounts have greater flexible over how employees use their healthcare dollars. They also provide tax advantages to save for future medical expenses. The contributions are made directly to an IRS approved trustee administering the account. The contributions can earn tax free interests. Employees can use these funds for qualified medical expenses. If funds are used by non-medical expenses, there is a 10% tax penalty for employees younger than 65 years. This is an additional benefit for County employees, in addition to the 2 health plans we have, the standard and the buy-up plan.

Ms. Dickerson inquired if this is the one where you can pay into it and when you have some additional expenses the insurance does not pay, you can use the card to pay for those medical expenses.

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Mr. Hanna stated it is, but this also has some additional options. Both the employer and employee can contribute to this type plan. Also, this is a plan that is portable. It belongs to the employee, so the employee can take these funds with them, if they decided to leave the County. They can also be used for other purposes, after you turn 65.

Ms. McBride stated, at one time, they had a health spending account where at the end of the year you would lose your money. With this it rolls over, so you never have to worry about losing your money.

Mr. Hanna responded in the affirmative. Unless, and until, you spend it, it remains your money. As Dr. Yudice said, this is an additional option, so employees can still select the buy-up plan or the standard plan. They can also still select the flexible spending account we have now.

Mr. Livingston inquired if this is a 100% employee contribution.

Mr. Hanna stated the IRS provides the option for the employee or the employer to contribute to the Health Savings Account.

Mr. Livingston inquired as to what our plan is doing.

Mr. Hanna stated they have not finalized the selection. We plan to recommend offering County contributions, if the savings will, at least, equal to the County's contributions. The Health Savings Plan costs less than the standard or the buy-up plan because the deductibles are higher, so it would be a lower costs for both the County and the employee.

- b. Transportation Penny Interns – Dr. Thompson introduced the Transportation Penny Interns to Council.

9. **REPORT OF THE CLERK OF COUNCIL**

- a. Doris Greene, US Census Bureau – This item was deferred until a future Council meeting.
- b. Richland County Recreation Commission Meet & Greet with Executive Director, July 12, 5:30 – 7:00 p.m., Adult Activity Center, 7494 Parklane Road –Ms. Roberts reminded Council of the Meet and Greet with the new Richland County Recreation Commission Executive Director on Thursday, July 12th at the Adult Activity Center.
- c. National Intern Day, July 26, 11:00 a.m. – 1:00 p.m., Transportation Penny Office, 201 Arbor Lake Drive – Ms. Roberts reminded Council of the National Intern Day event on July 26th at the Transportation Penny Offices.
- d. SC Association of Counties Institute of Government and Annual Conference, August 4 – 8 – Ms. Roberts reminded Council of the upcoming SC Association of Counties Institute of Government Classes and Annual Conference.
- e. NACo Annual Conference – Ms. Roberts reminded Council of the upcoming NACo Conference, which will be held July 13-16 in Nashville, Tennessee.

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10. **REPORT OF THE CHAIR**

- a. County Administrator Search Firms – Mr. Smith stated the last time this was discussed Mr. Hanna was briefing the Council on the options. He talked about whether you wanted to proceed with the State contract or not.

Ms. Dickerson inquired if the Councilmembers had received the information that Mr. Hanna emailed out yesterday regarding the firms.

Mr. Hanna stated, as reminded, there are firms that are on State contract, if the Council would like to use one of those firms. Also, there may have been some discussion about the possibility of meeting with or interviewing one or more of those firms. Council also has the option of going out on a RFP and soliciting responses from other firms.

Ms. Dickerson stated Mr. Hanna sent Council sent Council 2 options yesterday, and she believes we could consider 1 of those 2 firms.

Mr. Hanna stated, it is his understanding, any of the vendors that are on the State contract the Council could select, if the Council desires to do so.

Ms. Dickerson requested Mr. Hanna repeat the 2 that were sent out to Council yesterday.

Mr. Hanna stated he thinks the information that was sent out yesterday was a follow-up to the meeting. Two things he sent out were options about the process. One was from Minnesota's League of Cities and the other was from ICMA about the selection process. He also sent out a draft job description for the County Administrator, and a job description from Charleston County for the County Administrator. In addition, he provided the SC Code of Laws, as it relates to the County Administrator, and information from the County's ordinance, as it relates to the County Administrator. He states they have provided information before, as it relates to the vendors that are on State contract. He does not have the list handy, but Ms. Wladischkin may have them.

Ms. Myers stated the contractors, according to the email sent previously by Mr. Hanna, are Coleman Lew & Associates, Charlotte, NC; Find Great People, Greenville, SC; and Randy Frank Consulting, Connecticut.

Mr. Manning inquired why the Finding Great People's fee to initiate the search was \$1,500. Whereas, Coleman Lew & Associates was \$13,000 and Randy Frank Consulting was \$15,000. The percentage of the contract for the first year's salary related to the contract, two was 20% and one was 31%. He was unclear, since those percentages, to some degree, tracked, but the initiation fee, \$15,000/\$13,000 seemed to track, but the \$1,500 seems like a real outlier when the higher percentage was not that one.

Ms. Wladischkin stated she does not know why Find Great People would be so significantly less than the other two, but the fees come off of the first year's percentage of the salary. If you were to choose someone that any of those companies recommended, whatever the fee would be reduced off their percentage of the first year's salary.

Mr. Manning stated it does not really matter what the fee is. The only thing we should be looking at is the percentage of salary. In that case, given that two of them were 20% and one was 31% did Ms. Wladischkin see any reason for one to be twice again as high as the other two.

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Ms. Wladischkin stated she did not see anything that stuck out.

Ms. Dickerson inquired if we will be selecting one of these tonight.

Ms. McBride inquired as to what the going percentage rate was.

Ms. Wladischkin stated she is not familiar with any other search firm rates. She believes the last contract we had for County Administrator search was a flat fee. She stated she can do some research and submit the information to Council.

Mr. N. Jackson inquired about how many firms were on the State contract.

Ms. Wladischkin stated the 3 that were mentioned are the only ones on the State contract for Executive search firms.

Ms. McBride stated she did not know there were only 3 on the State list.

Mr. Manning stated he knows that one of these firms had done the recruitment for the successful candidate for Lexington County. He inquired as to which one that was.

Mr. Hanna stated he does not remember, but he could get that information.

Mr. Manning moved, seconded by Ms. Dickerson, to defer this item until Mr. Hanna brings back the requested information.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Hanna stated the firm Find Great People assisted Lexington County in their search.

Mr. Manning moved, seconded by Mr. N. Jackson, to enter into contractual negotiations with Find Great People firm, a firm on the State of South Carolina Procurement approved list, to assist the Richland County Council with the search for its next County Administrator.

In Favor: Malinowski, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston and Rose

The vote in favor was unanimous.

Mr. Rose moved, seconded by seconded by Mr. Manning, to reconsider this item.

Opposed: Malinowski, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston and Rose

The motion for reconsideration failed.

- b. Personnel Matter: Current Assistant County Administrator/Acting County Administrator – This item was taken up in Executive Session.

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- c. Personnel Matter: Clerk to Council Contract – This item was taken up in Executive Session.

11. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance to levy and impose ad valorem property taxes for Richland County School Districts One and Two; to improve, simplify and make more efficient the systems and procedures among Richland County School Districts One and Two and Richland County Government to fulfill responsibilities under Act 280 of 1979; and to repeal Ordinance Sec. 2-537(2) and Amended Ordinance Sec. 2-535(H) – No one signed up to speak.
- b. An Ordinance Authorizing the issuance and sale of not to exceed \$8,500,000 General Obligation Bonds, Series 2018A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the Assistant County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto – No one signed up to speak.
- c. An Ordinance Authorizing the issuance and sale of not to exceed \$2,000,000 Fire Protection Service General Obligation Bond, Series 2018B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bond; authorizing the Assistant County Administrator to determine certain matters relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto – No one signed up to speak.
- d. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an Infrastructure Credit Agreement to provide for infrastructure credits to Lorick Place, LLC to assist in the development of a low-income housing project; and other related matters – No one signed up to speak.
- e. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and FN America, LLC, a company previously identified as Project Liberty, to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Livingston moved, seconded by Mr. Pearce, to defer the public hearing until the September 18th Council meeting.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

12. **APPROVAL OF CONSENT ITEMS**

- a. 18-019MA, Mohammad Tabassum, RU to NC (1.7 Acres), 7125 Monticello Road, TMS # R07600-02-25 [SECOND READING]
- b. 18-020MA, Robert L. Legette, NC to GC (.51 Acres), 441 Percival Road, TMS # R016712-06-03 [SECOND

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READING]

- c. 18-022MA, Scott Morrison, RU to RS-E (10.81 Acres), 204 Langford Road, TMS # R15200-05-02(p)
[SECOND READING]
- d. Using Public Funds on Private Roads: Hardship Options
- e. Approve the purchase of EMS equipment with funding coming from bond proceeds set aside for EMS equipment
- f. Melody Garden Stream/Ditch Stabilization Design Professional Services Contract
- g. An Intergovernmental Agreement (IGA) between Richland County (the County) Government Office of Small Business Opportunity (OSBO) and the United States Small Business Administration (SBA)

Mr. Pearce moved, seconded by Mr. N. Jackson, to approve the consent items.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

13. **THIRD READING ITEMS**

- a. An Ordinance to levy and impose ad valorem property taxes for Richland County School Districts One and Two; to improve, simplify and make more efficient the systems and procedures among Richland County School Districts One and Two and Richland County Government to fulfill responsibilities under Act 280 of 1979; and to repeal Ordinance Sec. 2-537(2) and Amended Ordinance Sec. 2-535(H) – Mr. C. Jackson moved, seconded by Ms. Myers, to defer this item until the September 18th Council meeting.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. An Ordinance Authorizing the issuance and sale of not to exceed \$8,500,000 General Obligation Bonds, Series 2018A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the Assistant County Administrator certain authority related to the bonds; providing for payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item.

Mr. Malinowski stated at the June 19th meeting there were some comments about “tweaking” the language regarding the authority for the Assistant County Administrator. He stated this is the same language that was at that meeting. He inquired if there was no need to change the language. He thought there was some concern about it.

Mr. Smith stated if the situation does not change. If there is no action taken, as it relates to delegating to

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the Assistant County Administrator the duties and responsibilities, then we have to tweak the language. He would suggest that Council give Third Reading and delete any reference to the Assistant County Administrator, and just leave it blank, until such time as you decide how you want to proceed.

Mr. Pearce stated he is not sure he is comfortable with that. We are talking about bonds, and a lot of money. We could not move forward on the bonds until that is corrected. You cannot leave something to just fill in the blanks. You would have to have a new motion.

Mr. Cromartie stated Council has the authority to proceed with the issuance of bonds. You can delegate the authority to the Chair, so that the bonds can be issued, and things can continue to move forward. That would be means by which to continue to move forward in the current situation.

Mr. Pearce inquired if Mr. Cromartie was suggesting the wording be changed, and the Assistant Administrator's name be removed, and the Chair's name be inserted. Mr. Smith's recommendation was to leave it blank.

Mr. Smith stated his recommendation was to delete any reference to the Assistant Administrator. Then, until you determine who you were going to delegate that to. What Mr. Cromartie is suggesting, at this point, is that responsibility can be delegated to the Chair, with the deletion of the Assistant Administrator.

Mr. Pearce stated, for clarification, that the document does not need to have a specific person referenced in the document.

Mr. Cromartie stated the ability to proceed forward with the issuance of the bonds can be taken by Council. Given that you are uncomfortable with leaving it blank, and he can appreciate that, he would recommend delegating that to the Chair. That would allow you to proceed forward, and not have the issue of leaving it blank.

Ms. McBride stated so we do not necessarily have to have an individual's name. She inquired if it could be delegated to the person that the County authorized. Therefore, if we have someone else doing it, rather than the Chair. If we have an Interim/Acting person, that person could do it; otherwise, if we use the Chair's name, that person would not be able to sign off.

Mr. Cromartie stated he would not delegate it to a named individual. It would be delegated to a position, so it would be the Chair, County Administrator, etc. It would be the authority given to someone in a position of authority from Council.

Mr. Manning stated he would like to move for 5-minute recess to allow the attorneys to confer. He stated Council does not make good decision when we are doing this on the fly.

Mr. Manning moved, seconded by Mr. C. Jackson, to take a 5-minute recess.

Mr. Rose inquired if the attorneys need 5 minutes.

Mr. Cromartie stated he believes they are okay.

Mr. Manning withdrew his motion for a 5-minute recess.

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Mr. Manning made a substitute motion, seconded by Mr. N. Jackson, to give Third Reading to “An Ordinance Authorizing the issuance and sale of not to exceed \$8,500,000 General Obligation Bonds, Series 2018A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the Chair of the Richland County Council certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto”.

Mr. Malinowski inquired of Mr. Cromartie if the language in Mr. Manning’s motion would be fine.

Mr. Cromartie responded in the affirmative.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. N. Jackson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- c. An Ordinance Authorizing the issuance and sale of not to exceed \$2,000,000 Fire Protection Service General Obligation Bond, Series 2018B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bond; authorizing the Assistant County Administrator to determine certain matters relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto – Mr. Manning moved, seconded by Mr. Malinowski, to give Third Reading to “An Ordinance Authorizing the issuance and sale of a not to exceed \$2,000,000 Fire Protection Service General Obligation Bond, Series 2018B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bond; authorizing the Richland County Council Chair to determine certain matters relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto”.

Mr. Malinowski stated his only question is when we approved bonding for EMS there were specifics given of what they needed, but on this particular one we just put “raising monies to establish, maintain and operate the fire system”. It does not give any specifics. He inquired if there any specifics they are trying to purchase with these funds.

Mr. Cromartie stated, his understanding, is the purpose for the not to exceed \$2 million was for CRFDC self-contained breathing apparatus and other things related to the division. We do know where the funding is to go.

Mr. Pearce stated the list was provided previously.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

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The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Manning, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

Mr. C. Jackson stated, for clarification, in matters like this, where we have now assigned the task to the Chair, does it mean the Chair or the Chair's designee, or only the Chair. And, if the Chair is unable or unavailable to perform the duty does it now have to come back before Council to have some other position in its place.

Mr. Manning stated his thinking would be we elect a Chair and Vice Chair. The Vice Chair acts in absence of the Chair, so they would be able to act in the absence of the Chair.

Mr. Smith stated he thinks that would be correct.

Mr. Pearce stated he thought the Chair could designate.

Mr. Smith stated he thought the question was, "If the Chair isn't here...."

Mr. C. Jackson, for clarification, restated his question as follows: "Does this mean the Chair or the Chair's designee..." then, he said, "If the Chair is unavailable to do it..." It's really a two-part question. The first part of the question is would it be the Chair or the Chair's designee.

Mr. Cromartie stated, in this instance, it would be the Chair, or the individual with the authority in the position of the Chair, which would be the Vice Chair. That is why when we spoke earlier it went to the position, and not an individual.

Ms. Dickerson stated she is going to try to make herself available between now and December.

Mr. Pearce inquired, if Council were to secure an Interim Administrator, would they need to take this item back up?

Mr. Cromartie stated Council would not.

Mr. Pearce stated, for clarification, the Chair could designate the Interim Administrator.

Mr. Smith stated Council has already voted to designate the Chair to execute this series, as it relates to this bond issuance. At this point, Council has reconsidered that, so she can go forward and take that action, based on your direction.

- d. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes agreement by and between Richland County, South Carolina and FN America, LLC, a company previously identified as Project Liberty, to provide for payment of a fee-in-lieu of taxes; and other related matters – Mr. Livingston moved, seconded by Mr. Malinowski, to defer this item until the September 18th Council meeting.

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In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

14. **SECOND READING ITEMS:**

- a. 18-021MA, Christopher Alford, CC-4 to CC-2 (2 Acres), 7430 Fairfield Road, TMS # R11904-02-05 [SECOND READING] – Ms. Kennedy stated this is not what it is supposed to be and the community has already expressed their concern about this before. She was led to believe it was something different from what it is going to be. It has been proven that it is just what the community thought it was.

Ms. Kennedy moved, seconded by Mr. N. Jackson, to deny this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. Authorizing the Expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an Infrastructure Credit Agreement to provide for Infrastructure Credits to Lorick Place, LLC to assist in the development of a low-income housing project; and other related matters –Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

Mr. Malinowski stated he went back and looked at the June 5th meeting, and did not find it listed in the agenda.

Ms. Onley stated it was taken up at the June 19th Council meeting.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

Opposed: Malinowski

The vote was in favor.

- c. An Ordinance allowing for the temporary waiver of Richland County Administration and Richland County Council review and approval of change orders for work on structures damaged by the storm and flood during the period of October 3 through October 6, 2015 – Ms. Myers moved, seconded by Mr. Pearce, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

15. **REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE**

- a. An Ordinance Amending Chapter 17, Motor Vehicles In Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, Through Truck Traffic Prohibited; so as to include Hobart Rd. [FIRST READING]
– Mr. Pearce stated the committee recommended approval of this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- b. Review Section II(i)(2)(4) of County Ordinance 043-14HR, “If twenty-five (25%) percent or more of all such property owners decline said road paving, then the subject road shall not b be paved.” This seems to go against the way most items are done in our country, by majority, so why shouldn’t a majority also decide if a road should be paved or not? – Mr. Manning stated, it appears to him, as he reads it, that this is just a question. So, it looks like he is to answer the question yes or no, whether “This seems to go against the way most items are done in country, by majority, so why shouldn’t a majority also decide if a road should be paved or not?” He would appreciate some clarification on whether there is a motion here, and if it is what is the motion.

Mr. Malinowski stated his motion is that we change the ordinance, as it currently reads, so that 51% of the individuals in favor of paving a road can have the road paved.

Mr. Manning moved to send this back to committee, with that language, for the committee to consider.

The motion died for lack of a second.

Mr. Malinowski moved to direct staff to change the language, so that is will read that if 51% or more of all such property owners decline said road paving, then the subject road shall not be paved.

Mr. Manning stated he will second the motion if he heard it correctly. The motion was to ask the staff to change this language on the agenda.

Mr. Malinowski stated to change it in the ordinance. To change Sec. II(i)(2)(4) of County Ordinance 043-14HR, so that it reads, “If 51% or more of all such property owners decline said road paving, then the subject road shall not be paved.”

The motion died for lack of a second.

Mr. N. Jackson stated one of the main concerns he has when it comes to property owners, and right-of-way or easements...

Mr. Livingston inquired about what Council was discussing because there was no motion.

Ms. Dickerson stated this item came out of the D&S Committee with no recommendation. At this point, she stated she will entertain a motion on this item.

Mr. Rose moved, seconded by Mr. C. Jackson, to leave the ordinance as is.

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Mr. Rose inquired if this was Mr. Ozbek's area.

Mr. Ozbek stated it is his area, as well as Transportation.

Mr. Rose stated he was curious what other counties do in relation to this. He stated there are a lot of things he is concerned about. When you say property owner, what if there are 5 houses on a road, and 3 are owned by someone that rents and lives out of State. What if there are 4 houses on a road, and paving would be great, but you have someone that owns 2 houses and lives out of State. He assumes there was a reason this put in as 25%, and he is curious what other jurisdictions do. It sounds good, but the devil is in the details here. He is just very cautious about changing this. He would certainly welcome additional research.

Ms. Myers stated she agrees with the motion, as it stands, because one of the major issues you have to address is, the whole point of getting people's consent is there is a small taking of property from each of the property owners to expand these dirt roads wide enough to pave them. The reason it is such a high barrier is you have to convince the overwhelming majority to give up a piece of their land for a public use. Otherwise, it would be a taking, and we might get into whether or not we have to compensate all of those people. If we go to 51%, do we then compensate the folks who come back and say, "A simple majority now controls a sliver of my property." She thinks it is at the right place now, where you do not over burden people and take their property.

Mr. N. Jackson stated that was part of his argument. First, to change the ordinance we would have to have 3 Readings and a public hearing, so the public could have input on the takings of their property. When you take an easement, right-of-way, etc. to pave a road, people are giving up their property, and we are either paying them for it, or asking them to donate their property. At a certain point, if it is for the good of the public, we can condemn. In dirt roads, it is slightly different. It is not a simple majority because it has an effect on the citizens that live there. Some people do not want it paved. Some people have horses, and do not want their roads paved. That is why it is such a small amount. We can send it back to staff, and get the same information, or we can move on.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

Opposed: Malinowski

The vote was in favor.

- c. Implementation of the proposed Bulk Item Collection Procedure – Mr. Pearce stated the committee forwarded this item without a recommendation. Staff has put a lot of work into this process and have come up with guidelines. There was some discussion on whether we wanted to implement this Countywide or do a pilot project. Staff supports moving forward with the plan.

Ms. McBride requested Mr. Braswell explain the bulk item collection vs. what is going on now.

Mr. Braswell stated currently residents have to call in to schedule bulk item pickup. The resident will call into the One Stop Program. One Stop will refer it to the Solid Waste Division. The Solid Waste Division will contact the hauler, and the hauler will contact the resident to schedule the collection. The goal is to make it easier for citizens, so they do not have to call in to have it picked up. Also, residents are not aware they have to call us and put things out by the road. The proposed procedure is to have the hauler

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pick up no more than 4 items every other week.

Ms. McBride inquired if there is a negative impact on picking up the bulk items at one time, in terms of how many different spots they can pick up in.

Mr. Braswell stated the proposal is to limit 4 items, per household, every other week. The concern you have is people putting out a lot more material, which could fill up the truck before it runs its entire route. We will have to watch and make sure the residents comply with the proposed bulk item collection.

Ms. McBride stated, for clarification, if they fill up the truck, those items they were not able to load on the truck would stay there until...

Mr. Braswell stated until the hauler gets back. The hauler would have to empty his truck and come back.

Ms. McBride inquired as to who would be collecting the bulk items seeing as there is so much material. Would you have to have a certain type of truck? Or would this impact smaller services that collect.

Mr. Braswell stated, right now, they have 4 haulers that service the 8 service areas. They would be the ones responsible for collecting the material. Some of the haulers have clamshell trucks where they can pick up materials like that already. Other are using their rear loaders, so it may limit how much they could pick up at any one time. The goal is to limit the amount, so they would be able to run a normal route without having a problem.

Ms. McBride inquired staff has discussed this with the haulers.

Mr. Braswell stated they have spoken with the haulers.

Ms. McBride inquired as to their opinion of it.

Mr. Braswell stated most of them are supportive. A lot of them like the current process of calling in because it lets them know what is out there on the curb before they go pick it up. They do have some haulers that are already picking up stuff like this, even though it is outside our ordinance. Most of the haulers say they could work with the County to do it.

Ms. McBride stated her concern is that she has not heard from those that have concerns about it, and the impact it has on them.

Mr. Braswell stated the biggest concern is the end of semesters at the colleges where they put out a lot of materials at one time. Also, when there is an eviction and a lot of materials. Normally those are tagged because the haulers cannot pick them up. A lot of the material cannot be picked up, and they are not calling for pickup. We usually go through an enforcement process with the homeowner or resident, if they are putting materials out there that should not be out there or too much. Right now, the haulers we have discussed it with said they can work with us, and make it work.

Mr. Manning stated Mr. Braswell said there were 4 haulers. And he said, most of the ones you talked to.

Mr. Braswell stated it was discussed with all of them. All of them said they could work with us, and do

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what we are proposing. Some of them had concerns about the amount of materials that was going to be placed by the road.

Mr. Malinowski stated he does not know if there is more than one guideline pamphlet for the residents, but the one he has says you will put such items out by the curbside the 2nd Monday of the month and it will be picked up by Friday. It says nothing about calling in. It just gives a process whereby to put these items out there. It seems like we are already doing it, unless that is something that is outdated, and new things have been sent and he did not get it.

Mr. Braswell stated the booklet Mr. Malinowski has is outdated. About 3 – 4 years ago they changed the process. He stated they are preparing to revise the booklet, but wanted to wait until this process has been approved.

Ms. Dickerson stated there are several neighborhoods she has that she has passed by and there are mattresses on the road for over 2 weeks. That is so irritating when you have to go through your communities and see all these mattresses and trash cans by the road. The enforcement on this whole item is really making a lot of neighborhoods look like a trash can, especially where there is rental properties.

Ms. Kennedy stated she knows firsthand they do not pick it up. It sits out there forever, and they put a tag on it and tell you to take down to the dump.

Mr. Braswell stated that is what they are hoping this process will address.

Mr. N. Jackson stated we have developed a clean sweep, at least once a year, and that has helped a lot.

Mr. Braswell stated the clean sweeps occur every weekend, but the County is so large.

Mr. N. Jackson inquired how often the haulers will pick up with this proposal.

Mr. Braswell stated the proposal is to collect bulk items twice a month.

Mr. N. Jackson inquired if the proposal is based up the need, or could it be done once a month.

Mr. Braswell stated the problem with once a month is getting into the issue of too much material in the road for the trucks.

Mr. Pearce moved, seconded by Mr. N. Jackson, to approve the implementation of this process with a 6 month review to determine if it is viable or not.

Mr. Manning made a substitute motion, seconded by Mr. C. Jackson, to defer this item until the September 18th meeting. He stated he would like an opportunity to have someone come and talk at the regularly scheduled neighborhood meetings in his district, and hear what the neighborhoods have to say about the proposed process.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

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The vote in favor was unanimous.

- d. Property donation offer, TMS # R17400-03-23 – Mr. Pearce stated the committee recommended Council respectfully decline the offer to accept the property. This was an overgrown detention pond.

Mr. N. Jackson stated the problem he sees with denying the offer is the homeowners' association will stop paying taxes, and the property will be left there. No one will want to purchase it, and they do not have to maintain it. The problem comes with the development community when they are developing a property, and they have a retention pond. You purchase a home, then you realize you have to pay upkeep for a retention pond. When you purchase property in a subdivision, the County inspects the road, and the County takes over and maintains the roads. The homeowner purchases a house, and they are stuck with maintaining a retention pond. The developer does not tell them that. It is not in their document when they purchase a property, and they are stuck with this bill. What has started to happen is that they decide not to pay taxes on that property, and it is abandoned. It is an eyesore and causes problems. The taxpayers are coming to Council because we approve these development, and we do not hold the developer or the contractor responsible for the disposal of the property. Our constituents are going to call us to find out what they can do. We have to cut the ditches for the water to run by the roadway, so we have proper drainage. When it comes to these retention ponds, it is similar. If it is not maintained it can cause major problems.

Dr. Yudice stated, for clarification, this is a retention pond that is near a commercial business on Killian Road. Mr. Ozbek inspected it, and it is not in a residential development.

Mr. N. Jackson stated residential or commercial we have to hold someone responsible because if they stop paying taxes on it, then no one owns it.

In Favor: Malinowski, Myers, Pearce, Kennedy, Dickerson, Livingston, Rose and McBride

Opposed: N. Jackson

The vote was in favor.

- e. Richland County Storm Drainage Easements within City of Columbia Limits – Mr. Pearce stated the committee recommended Council grant the easements to the City of Columbia; however, the County respectfully declines responsibility to pay for repairs. In addition, the County believes part of the problem relates to the manner in which the City is annexing property. The County would be willing to meet to discuss a better method of annexation where possibly some of these areas could be addressed prior to the annexation. He stated if we were to accept what the City wants we were talking about potentially millions of dollars.

Mr. Ozbek stated the cost estimate on one property was \$400,000. There are literally thousands of drainage easements, for different purposes.

Ms. Myers inquired if the majority of these, when the City annexed them, the County stopped maintaining them, and the City did not undertake maintenance; therefore, they have fallen into disrepair. And, what has now happened is the City wants the County to essentially go back and repair these drainages, and infrastructure, from the time they annexed, but did nothing to keep them up.

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Mr. Ozbek stated that is correct.

Mr. Pearce stated, for clarification, that is why we have included the piece about annexation. If there was better discussion, in advance, about annexation, some of these things could have been avoided and worked out.

Mr. N. Jackson stated the City annexes an area, but neglects to annex the ditches. So, we are supposed to continue to maintain these ditches, and that is an annexation problem.

Mr. Manning stated the motion made reference to a meeting with the City. He inquired if that is referencing the next joint Councils meeting.

Mr. Pearce stated we would be willing to discuss a better method. It just says, we believe a part of the problem is the manner in which they annex, and the County would be willing to meet. It does not specify anything about a joint meeting.

Mr. Manning stated, when you were saying the County would be willing to meet, is that referencing our next joint Councils meeting, maybe?

Mr. Pearce stated it did not address that. When they are told we are not going to do this, that we would say staff would be willing to meet with them.

Mr. Manning stated he knows we have been having joint Council meeting, in the past, and he thought this might be an item for the next Councils meeting.

Mr. Pearce stated it could be. When they discuss it with the City, the City may say, "When do you want to do this?" and that could be a possibility.

Ms. Myers stated the staff's recommendation is pursuant to an Attorney General opinion, and not just our reflexive desire not to help the City. There is an opinion that says the municipality, and not the County is responsible for maintenance, and repair, of the roads located inside its corporate limits. It goes on to discuss annexation, and who is responsible when.

Ms. Kennedy stated the City is continuously annexing property without discussing it. They need to be responsible for what they annex.

Mr. N. Jackson stated we have several differences with the City of Columbia. Over the years, it continues to grow. We talk about it, but we have not met. He stated he made a motion last year, and he made a motion again this year, to have a roundtable discussion with the City Council members to iron out whatever difference we have, and move forward. We have staff make discussions, but at least once a year there needs to be a roundtable to discussion to address these situations.

Ms. Kennedy stated she made the discussion motion at the last joint meeting we had, and they said they would not be annexing stuff without discussing it. A month afterward, they annexed part of District 7 into the City.

Mr. Pearce restated the motion to grant the easements to the City of Columbia; however, the County respectfully declines responsibility to pay for repairs. In addition, the County believes part of the

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problem relates to the manner in which the City is annexing these properties. The County would be willing to meet to discuss a better method of annexation where possibly some of these areas could be addressed, prior to the annexation.

In Favor: Malinowski, C. Jackson, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

16. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Council Motion: Guidelines for dedications at the Decker Center – Mr. Manning stated this item is a Council motion. The motion is “Guidelines for dedications at the Decker Center”. He was unclear as to what an “aye” or “nay” vote on that would be. The briefing document gave a good deal of information, which included “move to establish guidelines for dedications at Decker Center, to include how they will be funded.” The alternatives, in the agenda packet on p. 147, was to consider the motion and proceed accordingly or to consider the motion and not proceed. The staff recommendation, on p. 148, was that Council may consider forming a small committee with representation from Council.

Mr. Rose moved, seconded by Mr. Malinowski, to follow staff’s recommendation to form a committee to present guidelines to full Council.

Mr. Manning made a friendly amendment to include dedications at any Richland County building.

Mr. C. Jackson stated, for clarification, if this means we will not do any future dedications until those guidelines have been approved by Council.

Mr. Rose stated, in his opinion, until guidelines are in place, if a majority of Council wanted to do something, they would have the ability to do so. Guidelines would be helpful in guiding us, going forward.

Ms. Dickerson stated we need some guidelines on this this because we are getting requests to do dedications, and we have not set any guidelines, as to how we would do them (i.e. expenses).

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

- b. FY18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

17. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an Infrastructure Credit Agreement to provide for infrastructure credits to DPX Technologies, LLC; and other related matters [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Livingston stated this somewhat of a unique project. This is a firm that got started by a USC Chemistry Professor. Then, it moved to Midlands Technical College Incubator, and now they are moving into the Research Park.

18. **REPORT OF RULES & APPOINTMENTS COMMITTEE**

19. **NOTIFICATION OF APPOINTMENTS**

- a. Accommodations Tax – Fiver(5) Vacancies (One applicant must have a background in the Cultural Industry; Three applicants must have a background in the Hospitality Industry; One is an at-large seat) – Mr. Malinowski stated the committee recommended appointing Mr. James Tyler Burns for the at-large vacancy, and re-appointing Mr. Bill McCracken for the Hospitality Industry vacancy.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- b. Business Service Center Appeals Board – 1 (Applicant must be an attorney) – Mr. Malinowski stated the committee recommended appointing Mr. Marcus J. “Marc” Brown.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

- c. Hospitality Tax – Three (3) Vacancies (At least two applicants must be from Restaurant Industry) – Mr. Malinowski stated the committee recommended appointing Mr. George Whitehead to the at-large vacancy.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

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20. **REPORT OF THE BLUE RIBBON COMMITTEE**

- a. A Resolution to approve the purchase of the remaining 54 properties, substantially damaged by the 2015 flood, as the owners and County complete all necessary due diligence – Mr. Pearce stated this is a follow-up item to the June 19th meeting. As you recall, we approved 20 properties for buyout that due diligence had been completed. The item before Council tonight is a resolution to purchase the remaining 54 properties substantially damaged by the 2015 floods, as soon as the owners and County complete all necessary due diligence.

Mr. Pearce moved, seconded by Ms. Myers, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Myers, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

21. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Decker Boulevard/Woodfield Park Neighborhood Improvement Project was denied TAP Grant Funding – Mr. C. Jackson stated this item was received as information.
- b. Transportation Penny Funds will be utilized to pay for closing Devine Street and Gadsden Street Railroads – Mr. C. Jackson stated the recommendation is to approve the cost design fee, not to exceed \$35,000, for the railroad crossing closing Devine Street and Gadsden Street, pending the determined cost, or allowable expenditures, within the penny funds.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston and Rose

The vote in favor was unanimous.

- c. Crane Creek Neighborhood Improvement Project – Mr. C. Jackson stated the recommendation was to approve the recommendations of the PDT to go forward with the design study.
1. Approve the Executive Summary from the Public Meeting
 2. Approve the Recommended Designs
 3. Approve the Design Contract for the OETs

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

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- d. Discussion: Transportation Penny funds being utilized for the following facilities at Three Rivers Greenway – Mr. C. Jackson stated this item was held in committee.
 - 1. Bathrooms
 - 2. Parking Lot
 - 3. Ranger Station
 - 4. Fire Department

- e. Status Update: The Dirt Road Program over-committed projects Years 1 and 2 workload has not been completed. Years 3 and 4 are in the design phase. – Mr. C. Jackson stated this item was received as information.

- f. Approval of the University of South Carolina’s Funding Request and Proposed Modifications to Three Bike Path Projects – Mr. C. Jackson stated the recommendation is to approve the funding, and the modifications, pending information regarding stakeholder meetings and the community’s support for the projects. Moreover, staff will develop a MOU and attach the SCDOR Guidelines to the approval.

In Favor: Malinowski, C. Jackson, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- g. Approval of the MOU between Richland County and the Central Midlands Regional Transit Authority (CMRTA) for distribution of past unpaid actual Revenues (\$5,060,039.96) and interest (\$230,926.13) to begin in Fiscal Year 2019 paying CMRTA based on actual revenues and interest from the Penny Funds – Mr. C. Jackson stated the recommendation is to fund the back payment; however, to eliminate all language in the MOU regarding interest payments, prior to executing the new agreement.
- In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride
- The vote in favor was unanimous.
- h. Approval of Polo Road Right of Way Easement with the City of Columbia – Mr. C. Jackson stated this item was held in committee.

 - i. Approval of the Construction Agreement for Installation of Sidewalk for the Three Rivers Greenway (Saluda Riverwalk) adjacent to the CSXT Bridge approximately 30-feet from centerline of track at RRMP C-1.58 near DOT No. 640441N, Florence Division, CN&L Subdivision pending Legal’s comments being addressed – Mr. C. Jackson stated this item was held in committee.

- j. Approval of letters recommending awarding bids – Mr. C. Jackson stated the recommendation is to approve this item.
 - 1. Sidewalk Package S-6
 - 2. Dirt Road Package G
 - 3. Dirt Road Package H
 - 4. Resurfacing Package O

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5. Sidewalk Package S-9

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

k. Approval of the Utility Agreement for SERN – Mr. C. Jackson stated this item was held in committee.

l. Approval to grant preliminary authority for Transportation Director to approve and sign design contracts – Mr. C. Jackson stated the recommendation is to approve this item.

1. Clemson Road Widening
2. Southeast Richland (SERN) Neighborhood Improvements
3. Atlas Road Widening
4. Garners Ferry Road and Harmon Road Intersection

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

m. Approval to pay or the Internship Program utilizing General Funds, opposed to utilizing Penny Funds – Mr. C. Jackson stated this item was held in committee.

n. Approval of Utility Relocation Estimates – **{This item was reconsidered at the July 24, 2018 Special Called Meeting}**

Mr. C. Jackson stated the recommendation is for approval.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

o. Approval of On-Call Engineering Contracts – Mr. C. Jackson stated the recommendation is for approval.

1. Polo Road Widening
2. Blythewood Road Area Improvements
3. Spears Creek Church Road Widening
4. Lower Richland Road Widening
5. Trenholm Acres/Newcastle NIP
6. Broad River Road Corridor NIP
7. Smith/Rocky Branch Greenway A, B, C
8. Crane Creek Greenway A, B, C
9. Polo/Windsor Lake, Woodbury/Old Leesburg, Dutchman Greenway
10. Quality Management Contract Modification for group 50 Dirt Roads (Mead & Hunt)

In Favor: Malinowski, Myers, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

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The vote in favor was unanimous.

- p. Transportation Program Update – Mr. C. Jackson stated this item was held in committee.
 - 1. Preconstruction Update
 - 2. Construction Update
- q. Personnel Update – Mr. C. Jackson stated this item was held in committee.

22. **OTHER ITEMS**

- a. FY19-District 5 Hospitality Tax Allocations –Mr. N. Jackson moved, seconded by Mr. Pearce, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Rose moved, seconded by Ms. Myers, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- b. FY19 – District 6 Hospitality Tax Allocations – Ms. Myers moved, seconded by Mr. Pearce, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. N. Jackson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- c. FY19 – District 10 Hospitality Tax Allocations – Ms. Myers moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Ms. Myers moved, seconded by Ms. McBride, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- d. A Resolution to appoint and commission Jason Michael Jensen as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County [ANIMAL CARE] – Mr. Pearce moved, seconded by C. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Dickerson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The motion for reconsideration failed.

- e. A Resolution to appoint and commission Jameela Darcell Bryant as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County [ANIMAL CARE] – Mr. Pearce moved, seconded by C. Jackson, to approve this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Dickerson, to reconsider this item.

Opposed: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

- f. The motion for reconsideration failed.

23. **CITIZENS' INPUT: Must Pertain to Richland County Matters Not on the Agenda** – Mr. Carl McKinney spoke regarding issues he encountered with the Planning Commission recently.

Mr. Livingston requested staff forward him the concerns expressed by Mr. McKinney.

**Special Called
July 10, 2018
-24-**

24. **EXECUTIVE SESSION** – Mr. Smith stated the following items are eligible for Executive Session.

- a. Intertape Polymer Group, Inc. Property Donation
- b. Contract with Recreation Commission – Mr. Smith stated there was an issue that came forth when we did the budget about whether or not the Recreation Commission contract had actually been executed. The Recreation Commission indicated they had brought an executed copy to the County. What was determined was there was a contract they signed and forwarded over, but there was question about one of the signatures on the contract. He stated he spoke with Bob Coble, who represents the Recreation Commission, and he indicated they are going to have a new Executive Director coming on board on July 15th, as well as the new Chair of the Commission. It is recommended, at that time, to re-execute the document, and authorize the Chair to execute the document on behalf of Council. He stated he has reviewed the document and there are no material changes to the document.
- c. Contractual Matter: 911 Communications Center
- d. Pending Litigation: Richland County vs. SCDOR
- e. Personnel Matter: Acting County Administrator Search
- f. Personnel Matter: Clerk to Council Contract

In Favor: Malinowski, C. Jackson Myers, Pearce, Kennedy, Dickerson, N. Jackson and Livingston

Abstain; Manning

The vote in favor of going into Executive Session was unanimous with Mr. Manning abstaining from the vote.

Council went into Executive Session at approximately 8:06 PM and came out at approximately 9:36 PM.

Intertape Polymer Group, Inc. Property Donation – Ms. Myers moved, seconded by Mr. Malinowski, to decline the offer of the donation of property.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning Dickerson, N. Jackson, Livingston, Rose and McBride.

The vote in favor was unanimous.

Contract with Recreation Commission – Ms. Myers moved, seconded by Mr. Livingston, to authorize the Chair to execute the document once it is signed by the Recreation Commission.

In Favor: C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

Opposed: Malinowski and Manning

The vote was in favor.

Contractual Matter: 911 Communications Center – Ms. Myers moved, seconded by Mr. C. Jackson, to move allow staff to go forward as discussed in Executive Session.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

**Special Called
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-25-**

Opposed: Manning

The vote was in favor.

Richland County vs. SCDOR – Mr. Smith stated this item was for information.

Personnel Matter: Acting County Administrator Search – Ms. Dickerson stated, for clarification, this item is for Human Resources to post the position of Acting County Administrator. The position will be posted for 5 days.

Mr. Hanna stated that is his understanding from the discussion at the Council Roundtable yesterday.

Ms. Myers moved, seconded by Mr. Rose, to direct Mr. Hanna to post the position of Interim County Administrator for 5 business days, as was discussed in Executive Session, and report the results back to Council.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Dickerson, N. Jackson, Livingston, Rose and McBride

Abstain: Manning

The vote in favor was unanimous with Mr. Manning abstaining from the vote.

Personnel Matter: Clerk to Council Contract – Ms. Myers moved, seconded by Mr. Malinowski, to instruct Mr. Hanna to proceed with the revisions to the document, as discussed in Executive Session, and provide those back to Council by July 11th at 1:00 PM.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

25. **MOTION PERIOD**

- a. We move that the County's Courthouse Committee convene and create a group modeled after the 39 Member Panel that culminated in the Transportation Penny and/or the Development Roundtable Panel that brought forth the 20+ Environmentalists/Developers Joint Recommendations for implementation and/or the Flood Recovery Blue Ribbon Panel that guided direction following the 1,000 year flood tragedy, with the goal to culminate in a new Richland County Courthouse Ribbon Cutting Ceremony [MANNING, PEARCE and LIVINGSTON] – This item was referred to the Property Distribution Management Ad Hoc Committee.
- b. Move that Administration give a report on the \$188,000 contract received by the Conservation Commission attorney from his brother the former Finance Director. If it cannot be explained, then it needs to be turned over to SLED and the Attorney General's Office for investigation. NOTE: Former Administrator Gerald Seals informed me and Council the Conservation Commission attorney received \$188,000 contract from his brother, former Finance Director. This was from an audit and concerns were expressed why would his brother give him a contract without bidding it out and was there a conflict. The Conservation Commission attorney's contract was delayed for several months and renewed, however, Council was never updated on the \$188,000 contract [N. JACKSON] – Mr. Pearce stated when he saw

**Special Called
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this motion he contacted Ms. Wladischkin. She stated there is no contract for \$188,000. In addition, the motion says, “the brother of the Finance Director.” Mr. Driggers and Mr. Ken Driggers are not brothers. They are cousins. Ms. Wladischkin stated the contract was let in 2011. It was rewritten in 2017, at up to \$30,000 a year. It was not required to go out for bid because solicitation is not required for legal services.

Mr. N. Jackson stated he was informed by the former Administrator that it was in an audit, and then he brought to an Executive Session to tell us he had a problem with an audit. The audit showed that Mr. Ken Driggers received \$188,000, and it was questionable. The former Administrator was supposed to report back to Council, but he never did.

Staff was directed to review this matter and report back to Council.

- c. I move that any recommendation or inquiry of the dam to DHEC must be coordinated by the Foundation and not Conservation Commission staff [N. JACKSON] – The item was referred to the D&S Committee.
- d. The Conservation Commission must revisit their proposed contract agreement with the Foundation and make it feasible for the organization to consider the proposal. How it is written is flawed and not with Council or Administration directive. Staff was asked to meet with SCDOT to leave the temporary bridge on Garners Ferry Road which would save thousands of dollars for the completion of the greenway nature trail. The Contractor and SCDOT agreed but staff did not follow through. [N. JACKSON] – This item was referred to the A&F Committee.
- e. Appropriate up to \$300,000 from the Gills Creek Part A project to repair the emergency spillway and an additional \$300,000 to build the boardwalk where the temporary bridge was removed [N. JACKSON] – This item was referred to the A&F Committee.
- f. I move that Council reconsider the order to request the return of funds used to purchase four acres for county project by CHAO and Associates and move the project forward immediately giving appropriate time to complete the project [N. JACKSON] – Ms. Myers stated she thought they had done that twice.

Dr. Yudice stated staff has brought this item before Council 2 times. Last Friday, we prepared a comprehensive report that was provided to Council.

Mr. N. Jackson stated when this was decided it did not go to committee. It was decided by Council, after meeting in Executive Session. The decision was based on the Administrator not having certain documents. When the report was given to Council, the documents were present. We made a decision on documents he said he could not find. But in the report, sent by the Assistant Administrator, those documents were there. He said the land purchase was not in the Phase II, and he did not have any documents on it. Now, he gets a report that shows the land purchase in Phase II. Because of the new information we have received, he thinks Council should reconsider because it was based on those documents not being present.

Dr. Yudice stated the documents Mr. N. Jackson is referring to were prepared for Mr. Chao. They were not prepared by County staff.

Mr. N. Jackson stated it can go to committee to be discussed because it is a document, with a master agreement, where it stated what was approved by Council.

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Dr. Yudice stated they could not find any evidence that Council had approved purchasing the property.

This item was referred to the A&F Committee

- g. I move that up to an additional \$3 million be appropriated to the project due to constant delays for the past four years [N. JACKSON] – This item was referred to the A&F Committee.
- h. Move for an update of the SLED investigation on bullying [N. JACKSON] – This item was referred to the Legal Department.
- i. Get an updated contract on all employees who report to Council [N. JACKSON] – This item was referred to the Human Resources Department.
- j. Allocate \$50k to Believe N Me2 for annual Sunsplash Concert; \$80k for annual Wet N Wild, Halloween Horror and Light of Christmas to Pinewood Lake Park Foundation and \$25k to SC Gospel Fest for annual LR Gospel Fest [N. JACKSON] – Mr. Manning inquired if this funding is out of the \$164,000 individual Council Member’s H-Tax allotment.

Mr. N. Jackson responded in the affirmative.

Mr. Manning inquired as to why it was not listed on the agenda like the other H-Tax allocation motions.

Mr. N. Jackson moved for approval.

Ms. Dickerson stated this is not a motion item.

Mr. N. Jackson stated it was sent to the Clerk, in the appropriate time.

This item was deferred to the July 24th Special Called Meeting.

- k. Council review the H-Tax process and make any necessary changes [KENNEDY] – This item was referred to the Rules & Appointments Committee.

Mr. Malinowski stated this is so generic. He stated we need more information before it gets to Rules.

Mr. Manning inquired, for clarification, if Hospitality Tax is in Council Rules. He stated Rules are about our Council Rules.

Mr. Smith stated it is a policy.

Mr. Manning inquired if it is a policy or an ordinance.

Mr. Smith stated there is a H-Tax Ordinance, but the process is a policy.

Mr. Manning inquired if it is the process or the ordinance.

This item was referred to the A&F Committee.

- I. Allocate \$150,000 from District 7 – FY18 Hospitality Tax Funds to the SC Gospel Quartet to cover the following: concert, boxing match, play and fashion show [KENNEDY] – This item was deferred to the July 24th Special Called Meeting.

26. **ADJOURN** – The meeting adjourned at approximately 9:44 PM.

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July 10, 2018
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Richland County Council Request for Action

Subject:

FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds

Notes:

June 26, 2018 – The committee forwarded this item to Council without a recommendation.



**Administration & Finance Committee Meeting
Briefing Document**

Agenda Item

FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds

Background

This request is to approve the FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds

Richland County became a federal entitlement program grantee in 2002. As an entitlement grantee, Richland County receives an annual share of federal Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME) funds authorized under Title I of the Housing and Community Development Act of 1974, as amended. The Richland County Office of Community Development (RCCD) is responsible for administering CDBG and HOME grants for unincorporated areas of Richland County.

RCCD seeks to “transform lives in partnership with the Richland County community through housing, education and revitalization to make a different one household at a time.”

The purpose of the Annual Action Plan is to identify housing and community development needs and to develop CDBG and HOME budgeting for the next annual period. This Action Plan for Richland County covers the fiscal period of October 1, 2018 to September 30, 2019. Additionally, the Annual Action Plan implements the County’s 5 Year Consolidated Plan, approved in July 2017, which enables the County to continue to receive federal housing and community development funds and must be submitted to the US Department of HUD by August 15, 2018.

A public meeting will be advertised and held on July 30, 2018. Please note this public meeting is not required to be a part of a Council meeting, but is still open to Council and the public to attend.

Please see below FY 18-19 Proposed Budgets for CDBG and HOME:

FY 18-19 CDBG BUDGET				\$1,495,368	
District 10 Park (Design/Soft Costs)		\$50,000.00			
GillsCreek - Water Quality Improvement Prgt		\$ 100,000.00			
Unsafe Housing Removal		\$ 271,990.00			
Richland County Rolls (Paint Brush Pgm)		\$80,000.00			
Operation One Touch (Minor Rehab Pgm)		\$ 220,000.00			
HOME Project Delivery Costs		\$ 100,000.00			
Public Service Projects		\$ 224,305.00			*Cannot exceed 15%
Richland Business 101		\$150,000.00			
Admin		\$ 299,073.00			*Cannot exceed 20%
FY 18-19 HOME BUDGET				\$722,033.00	
RCHAP		\$250,000.00			
CHDO		\$149,830.00			
RICHLAND REBUILDS		\$250,000.00			
ADMIN		\$72,203.00			*Cannot exceed 10%

HOME Grant funds require a local match. Total HOME funds are divided as follows:

HOME Grant Funds	\$ 722,033.00
HOME Program Income	\$ 20,000.00
HOME Local Match Required from the County (25%)	\$ 162,458.00
	\$ 904,491.00

Issues

If not approved, the estimated FY 18-19 budgets for CDBG and HOME and the funds will not be set up. Subsequently, the funds could be rescinded or not spent in a timely manner, thereby creating additional areas of concern for the County and affecting future year awards from HUD.

Fiscal Impact

The only financial impact to the County is the HOME match requirement.

For FY 18-19, the amount of HOME Match is \$162,458 and has been approved by County Council in Biennium Budget I in the General Fund. The County has provided the required match amount since the HOME program began in 2002.

Past Legislative Actions

County Council approved the Community Development’s FY 17-18 HUD Consolidated Action Plan in July 2017.

HUD approved the County’s FY18-19 allocation on May 1, 2018.

Last year’s CDBG and HOME budgets are listed below:

- FY 2017 CDBG \$1,330,596 HOME \$514,484

Alternatives

1. Approve the Annual Action Plan Budgets (FY 18-19) for CDBG and HOME due to HUD by August 15, 2018.
2. Do not approve the Annual Action Plan Budgets (FY 18-19) for CDBG and HOME due to HUD by August 15, 2018.

Staff Recommendation

Staff recommends Council approve the Annual Action Plan (FY 18-19) and the estimated budgets for CDBG and HOME.

Submitted by: Tracy Hegler, Community Planning & Development

Date: June 18, 2018



RICHLAND COUNTY
COMMUNITY PLANNING & DEVELOPMENT
2020 Hampton Street
Columbia, SC 29204

August 27, 2018

Don Oglesby
Homes of Hope Inc.
3 Duncan Street
Greenville, SC 29611

RE: Edisto Place Project

Dear Mr. Oglesby:

This letter is to advise you that Richland County Government will partner with the City of Columbia and Homes of Hope, Inc. for the development of Edisto Place, a 20+ unit mixed income residential community. Richland County will commit Community Development Block Grant Funds in the Amount of \$350,000 for infrastructure construction.

Receipt of the CDBG funds is contingent upon the following conditions:

1. As a recipient of CDBG funds, Home of Hope, Inc. agrees to award 10 percent of the total CDBG investment to Section 3 Businesses; and/or be prepared to offer 30 percent of ***new*** employment, contracting, or training opportunities to Section 3 Business or residents.
2. Evidence that development costs in the amount of \$3,546,447.00 are secured
3. Completion of U.S. Department of Housing and Urban Development (HUD) Modified Environmental Assessment

Please note this project will require Davis-Bacon compliance as well. Please make sure all documentation from request for proposals to construction awards denote this federal Department of Labor requirement.

If you agree to these conditions, please respond in writing with-in ten days from the date of this letter. Once received, Richland County will take steps to execute a contract.

Sincerely,

A handwritten signature in blue ink, appearing to read "Valeria Davis", is written over a light blue background.

Valeria Davis
Community Development Division Manager

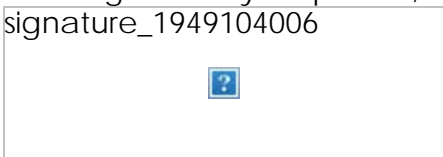
Cc: Gloria Saeed, City of Columbia Community Development Director
Jocelyn Jennings, Community Development Coordinator



From: [Don Oglesby](#)
To: [CLAYTON VOIGNIER](#); [DENISE TEASDELL](#); [Julia Boland](#); [Dawn Dowden](#); [JOCELYN JENNINGS](#)
Subject: FW: Homes for Hope - Award Letter
Date: Monday, June 03, 2019 2:16:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
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[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)

Yes—see email below where we accepted the terms of the letter from 8/27, email from 8/28.

With regards for your peace,
signature_1949104006



signature_500134834



Don Oglesby
President/CEO, HDFP, EDFP
Homes of Hope, Inc.
(864) 546-4637
www.homesofhope.org



cid:image007.png@01D46D3C.B572C510



Donate today [HERE](#)

From: Don Oglesby <DOglesby@HomesofHope.org>
Date: Thursday, September 13, 2018 at 1:16 PM
To: VALERIA DAVIS <DAVIS.VALERIA@richlandcountysc.gov>
Cc: Jocelyn Jennings <JENNINGS.JOCELYN@richlandcountysc.gov>, "'Saeed, Gloria'"

<Gloria.Saeed@columbiasc.gov>, "Kilgore, Felicia C" <Felicia.Kilgore@columbiasc.gov>, DENISE TEASDELL <TEASDELL.DENISE@richlandcountysc.gov>

Subject: Re: Homes for Hope - Award Letter

Per your email below, and the attached letter, and my conversation yesterday with Jocelyn (who by the way was MOST helpful and deserves a raise ☺), we agree to these conditions.

With regards for your peace,



Don Oglesby

President/CEO, HDPF, EDFP

(864) 546-4637

www.homesofhope.org



id:image007.png@01D4438F.95C77C50



Donate today [HERE](#)

From: VALERIA DAVIS <DAVIS.VALERIA@richlandcountysc.gov>

Date: Tuesday, August 28, 2018 at 10:52 PM

To: Don Oglesby <DOglesby@HomesofHope.org>

Cc: JOCELYN JENNINGS <JENNINGS.JOCELYN@richlandcountysc.gov>, "Saeed, Gloria" <Gloria.Saeed@columbiasc.gov>, "Kilgore, Felicia C" <Felicia.Kilgore@columbiasc.gov>, DENISE TEASDELL <TEASDELL.DENISE@richlandcountysc.gov>, VALERIA DAVIS <DAVIS.VALERIA@richlandcountysc.gov>

Subject: Homes for Hope - Award Letter

Please see attached.

Thanks~

Valeria

Valeria D. Davis

Division Manager
Richland County Government
Community Planning & Development Department
Davis.Valeria@richlandcountysc.gov

P 803-576-2063 **F** 803-576-2052

2020 Hampton St.
Suite 3063B
P.O. Box 192
Columbia, SC 29204
rcgov.us

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**RICHLAND COUNTY
COMMUNITY PLANNING & DEVELOPMENT**

2020 Hampton Street
Columbia, SC 29204

Attachment 7



(Original August 27,2018)

(Revised 3/28/19)

Don Oglesby
Homes of Hope Inc.
3 Duncan Street
Greenville, SC 29611

RE: Edisto Place Project

Dear Mr. Oglesby:

This letter is to advise you that Richland County Government will partner with the City of Columbia and Homes of Hope, Inc. for the development of Edisto Place, a 20+ unit mixed income residential community. Richland County will commit Community Development Block Grant Funds in the Amount of \$350,000 for infrastructure construction.

Receipt of the CDBG funds is contingent upon the following conditions:

1. As a recipient of CDBG funds, Home of Hope, Inc. agree to actively seek to award 10 percent of the total CDBG investment to Section 3 Businesses; and/or be offer 30 percent of new employment, contracting, or training opportunities to Section 3 Business or residents, as deemed feasible.
2. Written verification all private and/or other development costs have been secured to total to the estimated \$5.54M project costs
3. Completion of U.S. Department of Housing and Urban Development (HUD) Modified Environmental Assessment (completed as of March 2019)
4. Building Plans approval by the City of Columbia to include the appropriate zoning and other local building requirements.

If you agree to these conditions please respond in writing with-in ten days from the date of this letter. Once received, Richland County will take steps to proceed with contract approval by Legal and County Council.



Sincerely,

Valeria Davis
Division Manager, Community Development
Richland County Government

Cc: Gloria Saeed, City of Columbia Community Development Director



Development Costs:

	Total Projected Cost	City of Columbia	Richland Co.	Capital Bank
Acquisition Costs				
1. Land	408,000.00		350,000.00	58,000.00
2. Existing Structures	0.00			
3. Other Impact//Tap fees	159,123.00	159,123.00		
Subtotal	567,123.00	159,123.00	350,000.00	58,000.00
Site Costs				
4. Arborist and new trees	9,317.00	0.00		9,317.00
5. On-Site Improvements	447,580.00	442,826.00	0.00	4,754.00
Subtotal	456,897.00	442,826.00	0.00	14,071.00
Construction Costs				
6. New Building	3,166,086.67	0.00	0.00	2,742,916.67
7. Rehabilitation	0.00			0.00
8. General Requirements	216,820.00		0.00	216,820.00
9. Contractor Profit & Overhead	289,093.33		0.00	289,093.33
10. Other Bond fee and contingency	80,000.00			80,000.00
Subtotal	3,752,000.00	0.00	0.00	3,328,830.00
Professional Fees				
11. Accountant	0.00			
12. Architect	5,500.00			5,500.00
13. Attorney	10,000.00		0.00	10,000.00
14. Consultant	28,000.00			28,000.00
15. Other Survey and Engineering	13,000.00		0.00	13,000.00
Subtotal	56,500.00	0.00	0.00	56,500.00
Interim Costs				
16. Hazard/Liability Insurance	3,750.00		0.00	3,750.00
17. Interest	149,000.00		0.00	149,000.00
18. Payment/Performance Bond	0.00		0.00	
19. Title/Recording/Legal Fees	0.00		0.00	
20. Other	0.00			
Subtotal	152,750.00	0.00	0.00	152,750.00
Financing Fees and Expenses				
21. Credit Report	0.00			
22. Loan Origination/Closing	37,000.00		0.00	37,000.00
23. Title/Recording/Legal Fees	0.00			
24. Other	0.00			
Subtotal	37,000.00	0.00	0.00	37,000.00
Soft Costs				
25. Appraisal	7,500.00		0.00	7,500.00
26. Market Study	0.00		0.00	
27. Environmental Review	3,500.00			3,500.00
28. Relocation Expenses	0.00			
29. Other contingency	28,200.00		0.00	28,200.00
Subtotal	39,200.00	0.00	0.00	39,200.00
Development Reserves				
30. Rent-up Reserve	6,600.00		0.00	6,600.00
31. Operating Reserve	5,500.00		0.00	5,500.00
32. Developer Fees 5% (Acquisition)	0.00			
33. Developer Fees 15% (New, Rehab)	254,830.00		0.00	
34. Other replacement reserve	6,600.00		0.00	6,600.00
Subtotal	273,530.00	0.00	0.00	18,700.00
35. TOTALS	5,335,000.00	601,949.00	350,000.00	3,705,051.00



Agenda Briefing

To: Chair Joyce Dickerson and Members of the Committee
Prepared by: Clayton Voignier, Director
Department: Community Planning and Development
Date Prepared: June 04, 2019 **Meeting Date:** June 25, 2019

Legal Review	Elizabeth McLean via email	Date:	June 19, 2019
Budget Review	James Hayes via email	Date:	June 18, 2019
Finance Review	Stacey Hamm via email	Date:	June 18, 2019
Other Review:		Date:	
Approved for Council consideration:	Assistant County Administrator	Ashley Powell, Assoc. AIA, AICP	
Committee	Administration and Finance		
Subject:	Town of Eastover and Richland County IGA for Building Inspections		

Recommended Action:

Staff recommends approval of an Intergovernmental Agreement (IGA) between the Town of Eastover and Richland County for providing building code inspections and plan reviews of all residential and commercial buildings for the purpose of renovations, repairs, additions, and new construction within the Town of Eastover’s jurisdictional limits through the Building Inspections Division of the Community Planning and Development Department.

Motion Requested:

I move to approve an Intergovernmental Agreement (IGA) between the Town of Eastover and Richland County for providing building code inspections and plan reviews of all residential and commercial buildings for the purpose of renovations, repairs, additions, and new construction within the Town of Eastover’s jurisdictional limits through the Building Inspections Division of the Community Planning and Development Department.

Request for Council Reconsideration: Yes

Fiscal Impact:

Exhibit A of the IGA provides the fee schedule for all inspections and re-inspections of newly permitted projects as adopted by County Council.

Motion of Origin:

This request did not originate from a Council motion.

Council Member	
Meeting	
Date	

Discussion:

The Town of Eastover has requested Richland County to provide assistance with residential and commercial building code inspections and plan reviews. The Town of Eastover no longer has a Building Official with the requisite skills to perform these duties. In 2015, County Council approved a similar agreement in the past that expired with the Town of Eastover’s hiring of a Building Official.

Under the proposed IGA, the Building Inspections Division of Richland County’s Community Planning and Development Department will provide all plan reviews, permitting, and inspections for residential and commercial projects only. The Town of Eastover will issue the zoning permit and all approvals needed for a residential or commercial project to move forward for plan review. Upon receiving all approvals, a contractor approved by the South Carolina Department of Labor, Licensing, and Regulation (LLR) will submit plans for review and apply for a permit to be issued by the Building Inspections Division and pay fees as established in Exhibit A of the IGA by County Council.

The services for building code inspections and plan reviews will be handled by licensed County inspectors and plans examiners as required by the South Carolina LLR. The Building Official of Richland County shall interpret provisions of the applicable Building Code(s).

Attachments:

1. Proposed IGA between the Town of Eastover and Richland County

STATE OF SOUTH CAROLINA)
)
)
 COUNTY OF RICHLAND) INTERGOVERNMENTAL AGREEMENT
) BETWEEN THE TOWN OF EASTOVER,
) SOUTH CAROLINA; AND RICHLAND
) COUNTY, SOUTH CAROLINA

THIS INTERGOVERNMENTAL AGREEMENT is made and entered into, in duplicate, this ____ day of _____, 2019, by and between the Town of Eastover and the County of Richland, South Carolina.

WHEREAS, it is the desire of the Town of Eastover to partner with Richland County in the provision of required building code permitting, inspection and plan review of residential and commercial buildings within the Town of Eastover for the purpose of providing code compliance for construction; and

WHEREAS, the Town of Eastover and Richland County Councils recognize the positive influence this project will have on the quality of life for residents of the Town of Eastover, and desire to provide essential services through inspections and plan review; and

WHEREAS, the Town of Eastover agrees that Richland County shall recoup costs for permitting, inspections and plan review as indicated below;

NOW, THEREFORE, in consideration of the services and agreement described herein, the parties hereto agree as follows:

1. Richland County agrees to provide building services, including permitting, plan review and inspections, within the Town limits of Eastover. The Town of Eastover agrees that in order to recoup the costs associated with the services provided under this Agreement, Richland County shall collect fees for such services as set out on the Richland County Fee Schedule, which is attached as Exhibit A. Richland County agrees that such fees shall be the same as those required for all similar building services within the unincorporated areas of Richland County.
2. The parties hereto agree that all permitting and communication with contractors and builders shall go through the Richland County Building and Inspections Division.
3. The Town of Eastover and Richland County agree that services for inspections and plan review will be handled by state licensed inspectors and plans examiners, as required by South Carolina Department of Labor, Licensing and Regulation (LLR).
4. The Town of Eastover agrees that Richland County shall enforce within the Town limits of Eastover, the current edition of the Building Codes as adopted by the County and all other building codes adopted in Chapter 6 of the Richland County Code of Ordinances. All building code interpretations shall be made by the County Building Official. Building code interpretations of the Building Official of Richland County may be appealed to the Richland County Building Code Board of Appeals. In the event that an appeal is taken to circuit court based on the Board's decision, the Town of

Eastover agrees to pay the costs and expenses of legal counsel for the Board's defense and for the time any employee is required to testify during the appeal.

5. The County services provided pursuant to this Agreement shall be limited to building permitting, plan review and inspection services only. This agreement does not contemplate zoning services, and such agreement for zoning services, if any, shall be negotiated and entered into separately.
6. This Agreement shall have a term of twelve (12) months from the date of execution or until sooner terminated by either party upon such party giving ninety (90) days written notice to the other party of its intent to terminate this agreement or upon the Town of Eastover's employment of a Certified Building Official. This Agreement may be amended, modified or changed only upon the written agreement between the County Council for Richland County and the Town Council for Eastover.

IN WITNESS WHEREOF WE THE UNDERSIGNED have this _____ day of _____, 2019, set our hand and seal hereon.

TOWN OF EASTOVER:

WITNESSES:

Mayor

RICHLAND COUNTY:

WITNESSES:

Chair of County Council

EXHIBIT A

RICHLAND COUNTY FEE SCHEDULE

Permit fees for each category of work will be calculated on a per-building basis and shall be based on the total contract price or total value of work to be done or the per square foot values, for construction, as reported in the international codes council building safety journal for building valuation data, with one and two family dwellings calculates as follows: Average \$57.92 (less than 2,500 square feet of heated area); Best \$73.72 (2,500 square feet or more of heated area). The following dollar value and schedule will be used in calculating permit fees for each category of work to be performed.

- (1) Commercial construction and renovation:** Building, plumbing, gas, mechanical, roofing, sign, pool, barrier, storage, decks, building and fire protection, hood and/or fire suppression, electrical, communications, Security, sound and telephone systems:

TOTAL VALUE	FEE
Up to - \$5000.00	\$52.66
\$5000.01 - \$100,000	\$52.66 for the first \$5000.00 plus \$9.48 per \$1000.00 or fraction thereof
\$100,000.01 - \$1,000,000	\$953.26 for the first \$100,000 plus \$4.21 for each additional \$1000.00 or fraction thereof
\$1,000,000.01 - \$5,000,000	\$4,742.26 for the first \$1,000,000 plus \$3.16 for each additional \$1000.00 or fraction thereof
Over \$5,000,000	\$17,382.26 for the first \$5,000,000 plus \$2.10 for each additional \$1000.00 or fraction thereof

- (2) One and two-family dwelling construction and renovation and townhouses:** Building, plumbing, gas, mechanical, electrical, roofing, pool, barrier, deck, storage. Townhomes include fire protection communications, security, sound and telephone systems due to firewalls:

TOTAL VALUE	FEE
Up to - \$5000.00	\$21.07
Over \$5000	\$21.07 for the first \$5,000 & \$4.21 for each additional \$1000.00 or fraction thereof

- (3) Construction Trailer permits:** \$52.66

- (4) Demolition permits:**

A) Residential Storage or garage
\$26.33

detached

B) One story residence \$52.66

C) Two story residence \$78.99

- D) Commercial Building \$157.97
- E) Three-story or more \$210.62 plus \$26.33 per story
(Basement counts as a story)

(5) Land **development/Zoning Permits:** (one and two family only)

- Detached garage and/or storage building: \$5.27
- Single Family dwelling under \$10,000 \$5.27
- Single family dwelling \$10,000 or more \$10.53
- Two Family dwellings \$15.80

(6) **Moving Permit:** (SEE NOTE:) \$52.66

NOTE: All structures, modular units and mobile homes moved within or into Richland County require zoning, building, and may require plan approvals prior to moving and relocation. All permits shall be obtained and fees paid prior to any move. All structures and modular units are classified as new construction for code compliance and are permitted as new construction. Permit shall be good for a maximum of 120 days from date of issuance and structure or modular unit completed and final inspections made with certificate of occupancy issued.

(7) **Miscellaneous/additional fees:**

(A) **Re-Inspection:** The fee for re-inspections resulting from work not being ready for inspection or being disapproved after the first re-inspection, shall be \$31.59 and \$52.66 for each additional re-inspection.

(B) **Commencing work without a permit:**
Where work requiring a permit is started prior to obtaining the permit, the applicable fee shall be double the amount of the usual permit fee.

(C) **Inspections:** Where no fee is indicated, or the inspection is not required: Residential \$26.33; Commercial \$52.66

(D) **Plan review fee:** (Plan review fees shall be paid in advance for commercial projects, to include townhouses.)

- Residential: One and Two Family construction \$10.53
 - Commercial Construction & Townhouses: 19 % of permit fee.
- Note:** Percent (%) of permit fee is based on total construction cost.

(E) **Structures located within the floodplain:** Elevation certificates and inspections checklist fee of \$52.66 shall be required for new construction, additions, renovations, fences, pools, storage buildings and similar structures.

(F) **Electrical, Plumbing, Gas and HVAC Subcontractors:** Permits are not required for new construction, additions and remodeling work for residential property permitted by a licensed builder provided that the subcontractors are licensed with South Carolina division of LLR, have business license with Richland County, and are listed on the building permit application. Any subcontractor changes shall be reported before new subcontractor's work commences.

(G) Permit Transfer fee:	\$5.27
(H) Permit Refund fee: (less inspections made.	\$10.53
(I) Appeal of Building Official's decision:	\$26.33
(J) Manufactured home set up or de-title fee:	\$142.18
(k) Residential Metal buildings or contract price	\$15.26 sq. ft.
(L) Open decks or open porches or contract price	\$15.26 sq. ft.
(M) Pole buildings based on contract price	\$7.90 sq. ft.
(N) Garages attached/detached no room over, storage building, and screen porches:	\$28.96 sq. ft.
(O) Residential Boarded Structure fee:	\$26.33
(P) Mix Use and Commercial Boarded fee:	\$52.66

Section 6-51. Elimination of a permit fee for sub-contractor provided a South Carolina licensed general or residential contractor has already secured a single family residential permit and paid the fee.

(a)Notwithstanding any other provision of this chapter, when a licensed contractor secures a building permit for the construction of a building or structure, and appropriate permit fee prescribed by the building permit fee schedule will be paid by the contractor. Subcontractor(s) performing work for a licensed contractor will obtain permit(s) for their respective appurtenances, and pay a fee, except for a single family residence. Trade application will display the contractor's name and building permit number so that all permits relating to the same construction can be assimilated. Under extenuating circumstances, the Building Official shall have the authority to adjust the building permit fee.



Agenda Briefing

To: Committee Chair Joyce Dickerson and Members of the Committee
Prepared by: T. Dwight Hanna, Director
Department: Human Resource Services Department
Date Prepared: June 26, 2019 **Meeting Date:** July 23, 2019

Legal Review	Elizabeth McLean via email	Date:	July 15, 2019
Budget Review	James Hayes via email	Date:	July 11, 2019
Finance Review	Stacey Hamm via email	Date:	July 12, 2019
Approved for Council consideration:	Assistant County Administrator	Sandra E. Yúdice, Ph.D.	

Committee Administration & Finance Committee

Subject: Decreasing New Employee Probationary Period from 12 months to 6 months

Recommended Action:

Staff recommends that Council approve the request to change the New Hire Probation policy from twelve (12) months to six (6) months. Council approval of this request will result in Richland County enhancing its efforts to recruit and retain qualified individuals.

Motion Requested:

Move to approve a change to the policy of New Hire Probation. The change requested would decrease the probationary period from twelve (12) months to six (6) months.

Request for Council Reconsideration: Yes

Fiscal Impact:

There is no fiscal impact.

Motion of Origin:

There is no associated Council motion.

Council Member	
Meeting	
Date	

Discussion:

To provide better recruitment and retention benefits to current and future County employees, County Administration has recommended that County Council approve decreasing the new hire probationary period from twelve (12) months to six (6) months. The Society of Human Resources Management (SHRM) reported in 2014 that probationary periods typically last 60 to 90 days from the date of hire. As such, the Human Resources Department has prepared changes to the Richland County Employee Handbook regarding the policy.

The current County's policy, located on page 13 of the Richland County Employee Handbook, is as follows:

Probationary Period

All new employees (except temporaries) are considered to be on probation for the first twelve months. This period is a continuation of the selection process and is a time in which the new employee should make extra effort to demonstrate that he/she is well suited for his/her job. If the Department Head concludes at any time during the probation period that the new employee is not well suited for the position, the employee may be terminated or may be placed on extended probation if approved by the County Administrator.

The probationary period ends successfully when the Department Head, not sooner than one year after the employee was hired, evaluates the new employee in writing and authorizes taking him/her off of their initial probationary status.

A newly promoted employee does not serve a promotional probation period on his/her new job.

The proposed revisions to the County's policy in the Richland County Employee Handbook, are as follows:

Probationary Period

*All new employees (except temporaries) are considered to be on probation for the first **six (6) months**. This period is a continuation of the selection process and is a time in which the new employee should make extra effort to demonstrate that he/she is well suited for his/her job. If the Department Head concludes at any time during the probation period that the new employee is not well suited for the position, the employee may be terminated or may be placed on extended probation if approved by the County Administrator.*

*The probationary period ends successfully when the Department Head, not sooner than **six (6) months** after the employee was hired, evaluates the new employee in writing and authorizes taking him/her off of their initial probationary status.*

A newly promoted employee does not serve a promotional probation period on his/her new job.

Should Council approve the proposed change, all employees on new hire probation would be eligible for removal at six (6) months. The department retains the option to extend the employee's probation.

Attachments:

1. Revised Employment Status Guideline approved by County Administration in 2017

Modification or Addition Request for HR Guidelines or HR Handbook



Guideline or Section of Handbook for which Change Is Requested and Reason for Change:

Guideline Name: Employment Status

Guideline Number: 5.09

Summary of Changes:

- Add information about PT eligibility for health due to the PPACA.
- Change hours for PT employees and seasonal employees based on approval by Council
- Change probationary period from 12 months to 6 months

A copy of the requested changes or additions must be included with this form.

[Signature] 7.7.17
Requested by (Department Head) Date

[Signature] 7/7/17
County Administrator Date

Approved Denied

County Administrator Note: Please sign all pages of each guideline submitted for change.

_____ Approved Denied
County Council Approval (for Handbook Modifications or Additions)

Date Request Sent to Administration: 7/7/17

If Approved, date of Approval: 7/7/17

Date of Communication to Department Heads, Elected and Appointed Officials: _____

Date of Communication to HR Contacts: _____

Date of Publication on Guidelines Website and Supervisors Notified: 7/10/17

TO: _____

BD: _____

RICHLAND COUNTY HUMAN RESOURCES GUIDELINES

TITLE: Employment Status

Number: 5.09

EFFECTIVE DATE: 8/1/2009

Page: 1 of 13

REVISION DATE: ~~8/1/2009~~ 12/10/13 ~~6/26/2015~~

REVISION #:

PREPARED BY: Human Resources Department

AUTHORIZED BY: Council & Administration

PURPOSE:

The purpose of these guidelines is to define County criteria and benefit eligibility for the different types of work status (employee and non-employee) with the County.

DEFINITIONS AND PROCEDURES ELIGIBILITY CHART:

Eligible For:	Regular Full Time	Regular Part Time* (or equal to 30 h Hours per week)*	Temporary (on Richland County payroll)	Intern	Seasonal	Elected Officials/ County Council Members	Appointed Officials (Full-Time)	Appointed Officials (Part-Time)	Boards
SCRS Participation	X	X	X**	X**	X**	X	X	X**	X**
PEP after New Hire Probation	X	X		X***	X***				
Health Insurance	X	X*	*	*	*	X	X	X	
Holidays	X					X	X		
Vacation	X						X		
Sick	X						X		
Longevity	X					X	X		
Retiree Benefits	X					X	X	X??	
Jury Duty Pay	X					X	X		
Bereavement Leave	X					X	X		
SC Deferred Comp	X	X	X	X	X	X	X	X	
Flexible Spending Accounts	X					X	X	X	
EAP	X					X	X	X	
Dental, Life, STD/LTD, Supplemental	X					X	X	X	

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Products									
ASL / LP	X					X	X		

~~*Prorated based on average number of hours worked~~

* **Part-time hours greater than or equal to on average 30 hours per week (calculated based on PPACA eligibility rules) will be eligible for health insurance effective January 1, 2016 per PPACA rules and regulations.**

**Funds must be deducted if funds on file with SCRS

~~***After 1950 hours worked~~ **PROCEDURES:**

1. Regular full-time — Status of an individual who

1.1. ~~H~~has successfully completed new hire probationary period requirements ~~and who~~

1.1.1.2. ~~W~~works in full-time budgeted position ~~and:~~

1.2.1.3. Works no less than the department's official full-time work schedule in a regular budgeted and funded position.

1.1. ~~Is eligible for participation in SCRS and can achieve regular full time status before eligible for Pay for Performance (PEP) process. (upon meeting PEP eligibility criteria)~~

1.2. ~~Is eligible for County benefits consistent with guidelines for such programs.~~

1.3.1.4. **Note:** The County does not guarantee any minimum number of work hours per week.

~~Regular part time²⁵ — Status of an individual who~~

~~—has Has successfully completed new hire probationary period requirements~~

1.3. ~~who is w~~Working in a part time budgeted position ~~and:~~

1.4. ~~Scheduled and authorized to work~~ Works on average ~~thirty twenty five (2530)~~ hours or less per week in a ~~R~~regular budgeted and funded position.

1.4. ~~Is eligible for participation in SCRS and can achieve regular Full Time status before eligible for Pay for Performance (PEP) process. (upon meeting PEP eligibility criteria)~~

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AUTHORIZED BY: Council & Administration

- ~~1.5. Regular part-time employees are entitled to participate in the county's insurance plans and accrue sick and annual leave prorated on the number of hours worked per pay period provided they work at least thirty (30) hours per week.~~
- ~~1.5. May be called upon to work above their his/her normally scheduled hours of work when workloads require and requested by supervisor.~~
- ~~1.6. Department has designated part-time work hours on the initial PAF (any subsequent change to the normal work schedule must be completed using a new PAF).~~
- ~~1.7. Note: Departments will be responsible and held accountable for managing the work hours of part-time employees within the hours they designate not to so that those hours do not exceed the average hours per week stated on the PAF and their approved part-time funds.~~
- ~~1.6. Paid for holidays on a pro-rated basis based on hours worked.~~
2. Part-time (Less than 25 hours per week)
- 2.1. Has successfully completed new hire probationary period requirements
- 2.2. Working in a non-regular, non-budgeted and non-funded part-time position, funded by department's part-time line item.
- 2.3. Scheduled and authorized to work less than 25 hours per week.
- 2.4. Note: Departments will be responsible and held accountable for managing the work hours of part-time employees so that those hours do not exceed ~~twenty-five~~ ~~thirty~~ (2530) hours per week.
3. Temporary – A part-time or full-time individual who is hired for a limited period of time or until completion of a particular project or projects (not longer than ~~three (3) months~~ or 90 consecutive days in a one year period). Such employees may work part-time or full-time hours depending on the needs and assignment of the County.
- 3.1. For part-time temporaries, the Department should designate part-time work hours on the initial PAF (Any subsequent change to the normal work schedule must be completed using a new PAF). Actual work hours should match designation on PAF.
- 3.2. A temporary employee works in a non-regularly-budgeted, non-funded slot and is funded by the Department's part-time line item.
- 3.3. If a temporary worker is needed beyond a 90 day period, a Regular, funded, full-time equivalent position or a part-time position should be requested for approval,

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AUTHORIZED BY: Council & Administration

through the budget process or County Council - and posted in accordance with the Job Posting Procedure.

- 3.4. If the temporary is not moved into a part-time or full-time position, then the temporary worker must be taken off the payroll.
4. Seasonal Worker – An individual who works for the County on a part-time as-needed and/or scheduled basis. This individual usually works during the summer and Christmas school breaks and is most often a student. However, the individual may also be employed during certain busy times of the year in a County department.
 - 4.1. Works in a non-budgeted, non-funded slot and is funded by the Department’s part-time line item.
 - 4.2. Works no longer than **three (3) months or 90 days in a 1 year period.**
5. Intern – An individual, especially a student, participating in a related program of temporary, supervised work in a particular field in order to gain practical experience.
 - 5.1. Works in a non-budgeted and non-funded slot and is funded by the Department’s part-time line item.
 - 5.2. Works no longer than **three (3) months or 90 days in a 1 year period**
6. Elected Officials and County Council Members –Office holders elected by the voters of Richland County
 - 6.1. Elected to hold one of the following offices:
 - 1.1.1. Auditor
 - 1.1.2. Clerk of Circuit Court
 - 1.1.3. County Council
 - 1.1.4. Coroner
 - 1.1.5. Probate Court Judge
 - 1.1.6. Sheriff
 - 1.1.7. Treasurer

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- 6.2. Are office holders, not employees of the County.
- 6.3. Effective date is consistent with the date the individual officially takes office.
- 6.4. Hold office during the term to which they are elected unless they resign and/or are removed from office prior to the expiration of their term.
- 7. Appointed Officials – A duly Appointed Official of one of the following designated County positions:
 - 7.1. Director of Elections and Voter Registration
 - 7.2. Magistrates (some are part-time)
 - 7.3. Master-In-Equity
 - 7.4. Clerk of Council (Hired by Council)
 - 7.5. County Administrator (Hired by Council)
 - 7.6. Legislative Delegation (All)
 - 7.7. Voter Registration Director and employees²
 - 7.8. County Attorney
- 8. Volunteer (NOT AN EMPLOYEE) – An individual who performs services for a public agency for civic or humanitarian reasons without the promise, expectation, or receipt of compensation for those services. Because of potential liability of the County under the Fair Labor Standards Act, County employees may not volunteer to perform the same type of service which they are employed by the County to perform except with the written approval of HRD.
- 2-9. Grant Funded Position – See Grant guidelines for more information.
- 3-10. New-Hire Probationary- A part-time or full-time employee who is serving (and has not successfully completed) a new employee probationary period.
 - 3.1. ~~Has rights under the grievance procedure, through the chain of command up to the Department Head.~~
 - 3-2-10.1. Is not generally eligible for promotion.

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10.2. All new employees, including former employees who have been rehired, are considered to be on new-hire probation for at least the first ~~six~~ twelve ~~six~~ months and until successful completion of probationary appraisal.

10.2.1. Sworn Officers and Detention Center Officers may have their new-hire probation period extended an additional six (6) months if needed to complete the Academy.

10.3. This period is a continuation of the selection and evaluation process and is a time in which the new employee should make extra effort to demonstrate fully proficient job performance and that s/he is well-suited for his/her job. Supervisors should make efforts to properly orientate new employees, are encouraged to keep new hire probationary employees informed of the status of their job performance, and should document job performance communications.

~~3.3. The Department Head is responsible to provide written termination reason(s) to the employee and request their signature.~~

~~Supervisors should conduct a mid-year (6 month) probationary review on new employees. This review does not serve to take the employee off of probation, but rather to provide the employee with valuable information regarding their his/her job performance during their twelve-month probationary period.~~

~~3.4. The new hire probation period ends successfully when the Department Head, not sooner than six ~~one~~twelve months ~~year~~months after the employee was hired (or re-hired), appraises the job performance of the new employee as at least fully-proficient (in writing), the employee successfully completes all others requirements, and the Department Head authorizes his/her status as a "Regular" employee and completes the PAF and submits to HRD.~~

~~3.5. In addition, Law Enforcement Officers are on a probationary status until they comply with all department Department requirements and applicable existing state laws pertaining to law enforcement officers.~~

~~3.6. During the new-hire probationary period, the employee learns departmental guidelines and the duties and responsibilities of the job while the Supervisor supervisor communicates the employee's work expectations and progress to the employee.~~

~~3.7. Prior to the end of the new hire probationary period, the employee's supervisor must complete a~~

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~~3-8-10.4.~~ A At the end of the new hire probationary period, the employees' supervisor must complete a PAF ~~and forward it to HRD~~ along with ~~a~~ the Performance Appraisal. The PAF must be completed and forwarded to HRD prior to the end of the new hire probationary period that states whether the employee's new-hire probationary period should extend beyond six (6) months and whether or not the employee should be retained or discharged. ~~This extension of new hire probation is available for up to 6 additional months.~~ Additional information may be found in the PEP Guideline.

10.5. In order to be eligible for Regular employment status, the employee must receive an overall average, weighted rating of "Fully Proficient" or better on the Performance Appraisal at the end of his/her new-hire probationary period.

10.6. If retained, the employee should be considered a Regular status employee.

~~3-9-10.7.~~ An employee may be dismissed during the probationary period at any time if the Department Head provides written reason(s) to the employee, ~~and~~ recommends termination, HRD reviews the recommendation, and the County Administrator ~~approves~~ agrees that the employee is not capable of doing his or her assigned duties in at least a "Fully Proficient" manner.

10.8. If an employee's employment is terminated during his/her new hire probationary period, accrued vacation and sick leave will not be paid out to the employee.

10.9. If an employee's employment is terminated during his/her new hire probationary period, the Department Head is responsible to provide written termination reason(s) to the employee and request the employee's signature.

~~3-10-10.10.~~ Any grievance by a dismissed employee must be filed in accordance with the County's grievance procedures. ~~New-hire probationary status employees shall be entitled to file grievances only with their immediate Supervisor-supervisor and each successive Supervisor-supervisor up to the Department Head, but no further.~~

~~Part time employees are eligible for new hire probationary increases.~~

10.11. Employees moving back and forth from part-time to full-time status do not go back on new hire probation and are not eligible for new hire probation increases after their initial new hire probation increase.

~~3.10.1. The initial new hire increase for employees transitioning from part-time to full-time is based on the part-time hire date and vice-versa.~~

~~A promoted employee does not serve a promotional probation period on his/her new job.~~

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10.12. The new hire probation period ends successfully when the Department Head, not sooner than ~~twelve~~ six-months after the employee was hired (or re-hired), appraises the job performance of the new employee as at least fully proficient (in writing), the employee successfully completes all others requirements, and the Department Head authorizes his/her status as a "Regular" employee and completes the PAF and submits to HRD.

10.13. In addition, Law Enforcement Officers are on a probationary status until they comply with all Department requirements and applicable existing state laws pertaining to law enforcement officers.

4.11. Independent Contractor (NOT AN EMPLOYEE) – An individual or entity authorized by Procurement who carries out independent business contracts to do a piece of work according to his/her own means and methods, and who is subject to control only as to regarding the results. -Whether an individual or entity is an independent contractor, regardless of what the individual or entity calls himself/herself/itself, will be determined on a case-by-case basis using guidelines outlined by the IRS.

4.1-11.1. An independent contractor falls outside the definitions of employee and ~~elected~~ Elected and ~~appointed~~ Appointed official/Official.

4.2-11.2. An Independent Contractor must meet Procurement regulations for contracting with the County.

4.3-11.3. For a complete ~~list of~~ IRS ~~list~~guidelines, -go to the HR Intranet.

5.12. Length of Service – Continuous employment by the County, usually measured from the date the employee was last hired.

5.1-12.1. If this ~~service~~employment was interrupted by a break in service of ~~less~~more than ~~sixty~~ ~~ninety~~sixty (60) (~~60~~90) days (other than for military, maternity, disability, ~~or~~ leave with or without pay, or separation resulting from County-initiated reduction in force procedures within the previous twelve (12) months), the employee's length of service for purposes of longevity pay will commence with his/her reinstatement.

12.2. The date of hire for an employee who resigns from employment with the County and who is rehired within sixty (60) days of the date of the resignation will be his/her original hire date. However, this break in service can only occur once in an

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employee's history with the County. Sick leave and vacation leave will be reinstated at previous accrual levels.

~~5.2.12.3. If a full-time temporary employee on the County's payroll is placed in a regular full-time position, the length of full-time employment will be credited to (used as) the individual's date of hire for accruals for of sick leave, annual leave, and longevity pay, and PEP provided there is no break in service from between the time of full-time temporary employment to and the time of regular employment. The date of the hire relates to the accrual time period and does not provide for the actual accrual of vacation or sick leave to the employee.~~

~~6. Temporary A part-time or full-time individual who is hired for a limited period of time or until completion of a particular project or projects (generally not longer than six months one year). Such employees may work part-time or full-time hours depending on the needs and assignment of the County.~~

~~6.1. Temporary employees are not eligible for benefits, however, retirement contributions must be deducted from those who have funds on file with the South Carolina State Retirement System, others may choose to participate.~~

~~6.2. If a full-time (works on average 37.5 hours per week) temporary employee is placed in a regular position, the length of full-time temporary employment will be used to calculate their leave accrual rate annual leave if there is no break in service from the time of temporary full-time employment to the time of regular employment.~~

~~6.3. Not paid for holidays unless scheduled for work and works on the holiday.~~

~~6.4. For part-time temporaries, the department Department should designate part-time work hours on the initial PAF (Any subsequent change to the normal work schedule must be completed using a new PAF). Actual work hours should match designation on PAF.~~

~~6.5. A temporary works in a non-regularly budgeted, non-funded slot and is funded by the department's Department's part-time line item.~~

~~6.6. If a temporary worker is needed beyond a six one year (6) month period, a rRegular, funded, full-time equivalent position should be requested for approval, in most cases, through the budget process and posted in accordance with the Job Posting Procedure.~~

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- ~~6.7. — If regular funding is not approved the temporary is not moved into a part time or full time position, then the temporary worker must be taken off the payroll for a minimum of one (21) months every six (6) months year.~~
- ~~7. — Seasonal Worker — An individual who works for the County on a part time as needed and scheduled basis. This individual usually works during the summer and Christmas school breaks and is most often a student. However, the individual may also be employed during certain busy times of the year in a County department.~~
- ~~7.1. — Works in a non-regularly budgeted, non-funded slot and is funded by the department's Department's part time line item.~~
- ~~7.2. — Individuals who have funds on file with the South Carolina State Retirement System must contribute to the SCRS. Others may participate if they so choose.~~
- ~~7.3. — Not eligible for Pay for Performance process until they have worked 1950 hours.~~
- ~~7.4. — Not eligible for other County benefits.~~
- ~~8. — Intern — An individual, esp. especially a student, participating in a related program of temporary, supervised work in a particular field in order to gain practical experience.~~
- ~~8.1. — Works in a non-regularly budgeted and non-funded slot and is funded by the department's Department's part time line item.~~
- ~~8.2. — Individuals who have funds on file with the South Carolina State Retirement System must contribute to the SCRS. Others may participate if they so choose.~~
- ~~8.3. — Not eligible for Pay for Performance process until they have worked 1,950 hours.~~

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~~8.4. Not eligible for other County benefits.~~

~~9. **Volunteer (NOT AN EMPLOYEE)** An individual who performs services for a public agency for civic or humanitarian reasons, without the promise, expectation, or receipt of compensation for those services. Because of potential liability of the County under the Fair Labor Standards Act, County employees may not volunteer to perform the same type of service which s/he is they are employed by the County to perform except with the written approval of HRD.~~

~~**Elected Officials and County Council Members** Office holders elected by the voters of Richland County~~

~~9.1. **Elected to hold to hold one of the following offices:**~~

~~1.1.1. Auditor~~

~~1.1.2. Clerk of Circuit Court~~

~~1.1.3. County Council~~

~~1.1.4. Coroner~~

~~1.1.5. Probate Court Judge~~

~~1.1.6. Sheriff~~

~~1.1.7. Treasurer~~

~~➤ Solicitor~~

~~9.2. Are officer holders, not employees of the County.~~

~~9.3. Are eligible to receive the same insurance benefits as Regular, full-time employees, if they qualify.~~

~~9.4. Effective date is consistent with the date the individual officially takes office.~~

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~~9.5. Do not accrue annual or sick leave.~~

~~9.6. Hold office during the term to which they are elected unless they resign and/or are removed from office prior to the expiration of their term.~~

~~10. Appointed Officials A duly Appointed Official of one of the following designated County positions:~~

~~10.1. Assessor~~

~~10.2. Election Commission Director~~ Director of Elections and Voter Registration

~~10.3. Magistrates~~

~~10.4. Master In Equity~~

~~➤ Voter Registration Director~~

~~10.5. Clerk of Council (Hired by Council)~~

~~10.6. County Administrator (Hired by Council)~~

~~a. Legislative Delegation~~

~~10.7. Full-time and part-time appointed officials are eligible to receive the same insurance benefits as regular, full-time employees.~~

~~10.8. Full-time appointed officials and magistrates have to pay regardless of accrue annual and sick leave. Part-time appointed officials and magistrates do not accrue annual or sick leave.~~

~~10.9. DESIGNATED EMPLOYMENT STATUS CHANGES~~ Designated Employment Status Changes

13.

13.1. Promptly and accurately designating an employee status change via the PAF helps to ensure the County can comply with Federal and County requirements such as

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FMLA, FLSA, COBRA, Worker's Compensation, paying employee benefits accurately when they are eligible, and charging employees accurately for benefits when they owe for insurance premiums.

13.2. The type of status changes that must be recorded on the PAF include (but are not limited to) when an employee begins or ends:

—

13.2.1. LWOP (Leave Without Pay)

13.2.2. Worker's Compensation- (County must pay up to one year of health insurance)

13.2.3. Military Leave

—Medical Leave of Absence

RESPONSIBILITIES:

1. Employee

1.1. ~~1.1~~ Work authorized schedule.

2. Supervisor / Department Head

1.1. Notify HRD of any change in employment status through a PAF (including the end of the new-hire probationary period).

2.1. _____

1.2. Monitor, coach, provide feedback, appraise, and document performance of each subordinate.

2.2. _____

1.3.2.3. Ensure employee works authorized schedule and number of hours.



Agenda Briefing

To: Committee Chair Joyce Dickerson and Members of the Committee
Prepared by: James E.S. Hayes, Director
Department: Office of Budget and Grants Management
Date Prepared: July 08, 2019 **Meeting Date:** July 23, 2019

Legal Review	Larry Smith via email	Date:	July 15, 2019
Finance Review	Stacey Hamm via email	Date:	July 08, 2019
Approved for Council consideration:	Assistant County Administrator	Sandra E. Yúdice, Ph.D.	
Committee	Administration and Finance		
Subject:	Richland County Recreation Commission - Redirection of Allen Benedict Funds		

Recommended Action:

Staff recommends allowing the Richland County Recreation Commission (RCRC) to be reimbursed for the Day of Giving program held on May 21, 2019. Though it is a program revision of funds approved for the Allen Benedict Court Residents, the residents were directly impacted, and the overall purpose and usage of the funds remained consistent with Council’s intent.

Motion Requested:

Move to approve a revision of the Recreation Commission’s usage of the funding approved by the County Council to assist residents of the Allen Benedict Court Community and to be reimbursed for those expenditures incurred during the Day of Giving.

Request for Council Reconsideration: Yes

Fiscal Impact:

There is no fiscal impact as the funding has already been approved by Council.

Motion of Origin:

There is no associated motion.

Council Member	
Meeting	
Date	

Discussion:

At its March 05, 2019 regular session council meeting, Richland County Council approved funding for the Richland County Recreation Commission, among other groups, to assist the displaced residents of the Allen-Benedict Court Community.

County Council originally approved funding for the RCRC to provide after-school activities at six locations. The Commission is requesting to revise their original proposal to be reimbursed for expenses incurred during its Day of Giving event held on May 21, 2019 at St. Andrews Park.

Attachments:

1. Richland County Recreation Commission Request



Contact Information

Contact: Lakita Watson
Executive Director
Richland County Recreation Commission

Address: 7473 Parklane Road
Columbia, South Carolina 29223

Email: lakita@rcrc.state.sc.us

Organization Information

Legal Name: Richland County Recreation Commission

Address: 7473 Parklane Road

City: Columbia

State: South Carolina

Zip: 29223

Telephone: 803.547-7272

E-Mail Address: lakita@rcrc.state.sc.us

Website Address: www.richlandcountyrecreation.com

Mission

Dedicated to enriching lives and connecting communities through diverse recreational opportunities.

Vision

To be recognized as a leader in park management and the delivery of quality recreation programs in order to better promote health and improve the quality of life in Richland County.

Request Information

Project Title: Resource Fair

Meeting Community Need: According to various news outlets, between 300 – 400 individuals have been evacuated from Allen-Benedict Court housing neighborhood due to unsafe living

conditions. Many of these evacuees have been relocated to local hotels until permanent housing can be found. The Richland County Recreation Commission (RCRC) has afterschool programs and summer camps located throughout the county.

Proposal Detail Revision: Due to a scheduling conflict with a preplanned special event RCRC was unable to attend the Resource Fair sponsored by Prizma Health, Columbia Housing Authority and Richland County Library held on April 27th. However, we had participated with the numerous conference calls and meetings used to set up the event. Also, there were two previous dates set, but other vendors decided to wait for the date and location that Prizma set in order to capitalize on the ability to provide medical information along with the other service vendors. The attendance at this fair was approximately 400 people, which included the general public as well as the Allen Benedict Court residents.

In order to ensure that we provide the greatest benefit to the most Allen-Benedict Court residents within our reach, RCRC will host a Day of Giving that will provide the displaced residents with basic everyday essentials including laundry care and personal hygiene products. In addition to the everyday essentials RCRC will provide twenty-five \$200 grocery gift cards and fifty \$150 vouchers to be used toward programing. The remanding funds will be used to purchase books, games, and activities for school aged youth in an effort to provide educational and enrichment activities to these youth during the summer months. The Day of Giving event will be open to Allen Benedict Court residents and their children. RCRC will provide refreshments and entertainment to ABC residents in attendance and will use funds from our current operating budget to cover the cost. We have contacted social workers employed with the Richland County Library to assist us with advertising the event to ABC residents who seek assistance from the Library.

Project Timeline Revision: The Day of Giving will be held at St. Andrews Park located at 920 Beatty Road on May 21st from 4-8 pm.

Total Funding Request: \$15,000



Agenda Briefing

To: Committee Chair Dickerson and Members of the Committee
Prepared by: Art Braswell, General Manager, Solid Waste & Recycling Division
Department: Public Works
Date Prepared: July 12, 2019 **Meeting Date:** July 23, 2019

Legal Review	Elizabeth McLean via email	Date:	July 17, 2019
Budget Review	James Hayes via email	Date:	July 12, 2019
Finance Review	Stacey Hamm via email	Date:	July 15, 2109
Approved for Council consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration and Finance		
Subject:	Solid Waste & Recycling Rate Study and Ordinance amendment		

Recommended Action:

Staff recommends that Council approve increases to County’s solid waste fees to cover costs of the County’s solid waste and recycling program and that Section 12-17 (c) (4) of the *Richland County Code of Ordinances* be changed as recommended.

Motion Requested:

Move to accept staff’s recommendation to approve and implement the recommendations contained in the Solid Waste Rate Study performed by HDR and amendment to the Solid Waste section of the County’s ordinance.

Request for Council Reconsideration: Yes

Fiscal Impact:

During the past two fiscal years, the Solid Waste Enterprise Fund had a negative net position of \$5.7 million and \$6.3 million. The proposed increases to the Solid Waste Fee and Landfill tipping fees will restore the Solid Waste Enterprise Fund to a positive balance within the next two years. The approved FY-20 and FY-21 budgets anticipated an increase in fees. The increase will bring in \$5,856,160 more a year that will cover the expenses to operate the Solid Waste Collection division.

Motion of Origin:

There is no associated Council motion.

Council Member	
Meeting	
Date	

Discussion:

Richland County collects a fee from County residents that goes into the Solid Waste Enterprise Fund to cover the cost of the County’s Solid Waste & Recycling Division as well as the Special Services Division. The majority of the fee pays for the curbside collection of residents’ garbage, recycling, and yard-waste. The fee was previously increased in 2008; however, operational costs to the program have continued to rise. Until recently, contracts for curbside service included an automatic annual 3.5% increase though revenues remained relatively flat. As a result, costs to operate the County’s solid waste collection program now exceed the revenue generated by the solid waste fee.

The last increase in the disposal rate at the Richland County Construction and Demolition Debris Landfill occurred in 1993. Costs to operate the landfill and to maintain the closed municipal solid waste (MSW) landfill cell have increased due to inflation and regulatory changes.

On January 31, 2019, the County awarded a contract to HDR to conduct a rate study for the Solid Waste & Recycling Division, focusing on the fee for residential curbside collection and the disposal fee at the Richland County C&D Landfill. HDR met and worked on the study with staff from the Solid Waste & Recycling Division, the Finance Department, and the Office of Budget and Grants Management. HDR has completed its study and will present the final report to Council along with recommendations for replenishing the Solid Waste Enterprise Fund.

Possible remedies to address the annual negative net positions of the Solid Waste Enterprise Fund include

- 25% increase in the solid waste fee that residents pay for curbside collection,
- 25% increase in the landfill disposal fee,
- requiring other non-Enterprise funded entities within the County to pay the disposal rate at the landfill, and
- deferring some capital expenses when possible

The table below shows a history of past increases in the solid waste fee and a projected increase of 25%.

Solid Waste Rates History				
Tax Bill Year	Road Side	% Increase	Back Yard	% Increase
1994	\$120.00		\$198.96	
2002	\$136.00	13%	\$265.20	33%
2004	\$168.00	24%	\$327.60	24%
2006	\$205.00	22%	\$400.00	22%
2008	\$249.00	21%	\$485.55	21%
Proposed 25%				
2019	311.25		606.94	

Finally, our current (and proposed) curbside collection rate structure is not in accordance with the *Richland County Code of Ordinances*, Section 12-17 (c) (4) which states:

“The cost of the higher level of roll cart service (backyard pick-up) shall be placed on the tax bills of all residents in the subdivision, however, said cost shall not exceed 1.8 times the basic curb service charge. In addition to the garbage collection charge, the county shall be entitled to collect the total cost of administering this program, which shall be divided among the individual homeowners on an equitable basis by the finance department annually.”

Staff recommends that the ordinance section be changed such that 1.8 multiplier referenced above be changed to 1.95.

Attachments:

1. HDR Report

Solid Waste Cost of Service and Rate Study

Richland County Solid Waste and Recycling

1 Introduction

The Richland County Solid Waste and Recycling (RCSWR) sought a qualified professional firm to provide a Cost of Services and Rate Study (Study) for an eight-year period. HDR Engineering, Inc. (HDR) was selected to perform the work. The purpose of this report is to summarize the methodology and results of the Study. The eight-year projection was based on an evaluation of the cost services included in the RCSWR system such as Municipal Solid Waste (MSW), Construction & Demolition Waste (C&D), Yard Waste, and Collection and Hauling.

The goal of this study is to review historical data, project cost of service, determine whether adequate fees are being charged to recover the costs of providing services, and, if not, provide recommendations regarding future rate design options. The methodology for conducting a cost of service and rate study requires a systematic progression of steps.

This report includes the following sections:

1. Introduction
2. Methodology Overview
3. Calculation of Cost of Service
4. Cost of Service Key Findings
5. Recommended Rate Design Changes

2 Methodology Overview

This overview provides the background information needed to understand how information developed through each of the analytical steps provides the data to determine the cost of service for each service type.

Step 1. Selection of the Test Year

The test year is a consecutive 12-month period deemed to be a representative year for a utility in terms of costs and revenues relative to the year that rates will be in effect. For this study, the test year is FY 2019.

Step 2. Review of Historical Expenses and Revenues

The second step in the cost of service analysis focused on reviewing all historical data.

Step 3. Development of the Revenue Requirement for the Test Year

The revenue requirement represents the total revenue needed to recover during a year in order to fund all expenses associated with the provision of solid waste services. HDR analyzed actual expenditures and non-tipping fee revenues for FY 2015 through FY 2018 as well as estimated expenses for FY 2019 in order to baseline the typical annual operating requirements of the Richland County solid waste system. Based on total expenses, HDR developed the test year for forecasting revenue requirements for FY 2020 through FY 2027.

Step 4. Development of Revenue Requirement for FY 2020 through FY 2027

HDR worked with Richland County staff to project future cost changes due to inflation, salary increases, additional personnel and additional capital needs. HDR reviewed historical inflation (annual percentages) to determine an escalation factor for certain costs; and determined revenue requirements accordingly for FY 2020 through FY 2027.

Step 5. Project Future Solid Waste Tonnage

In order to project future fee revenues, HDR projected solid waste tonnage using historical tonnages. Based on information from County staff, recent annual tonnage has been relatively flat. So to project future solid waste tonnage, a historical average of the last four years was used and projected with no annual growth rate applied between FY 2020 and FY 2027.

Step 6. Project Future Revenue under Current Rates

HDR developed projections concerning the amount of revenue that Richland County would generate from current tipping fees.

Step 7. Calculate the Cost of Service

The final step is to compare revenue requirements (Step 4) with projections of future revenue under current rates (Step 6) to estimate excess revenue/deficit in order to determine adequacy of existing tipping fee/disposal rates.

3 Calculation of Cost of Service

Table 1 provides profit/loss projections for the eight-year forecast given the annual revenue requirements (Expenses less non-fee revenues) and current curbside collection and tipping fee revenues. In the table, fee related revenue is compared against the annual revenue requirement for FY 2020 through FY 2027 to determine adequacy of existing fees. Significant annual losses and/or cumulative losses indicate the need for increasing fees to cover future costs.



Table 1: Annual Profit/Loss Projections for FY 2020 to FY 2027

Category	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
Annual Expenses	\$34,241,577	\$35,268,824	\$36,326,889	\$37,416,695	\$38,539,196	\$39,695,372	\$40,886,233	\$42,112,820
Capital Improvement Expenditures	\$4,736,000	\$3,070,000	\$1,060,000	\$870,000	\$1,110,000	\$0	\$240,000	\$250,000
Annual Revenues (Non-Fee Related)	\$5,806,706	\$5,961,418	\$6,120,639	\$6,284,499	\$6,453,135	\$6,626,685	\$6,805,293	\$6,989,107
Annual Revenue Requirement	\$33,170,871	\$32,377,406	\$31,266,250	\$32,002,196	\$33,196,061	\$33,068,687	\$34,320,940	\$35,373,713
Annual Revenues from Fees (Tipping + Curbside Collection)	\$23,275,011	\$23,533,118	\$23,794,204	\$24,058,300	\$24,325,444	\$24,595,669	\$24,869,011	\$25,145,507
Annual Net Excess Revenue/Loss	-\$9,895,860	-\$8,844,287	-\$7,472,046	-\$7,943,896	-\$8,870,617	-\$8,473,018	-\$9,451,928	-\$10,228,206
Cumulative Excess Revenue/Loss	-\$9,895,860	-\$18,740,147	-\$26,212,194	-\$34,156,090	-\$43,026,707	-\$51,499,725	-\$60,951,653	-\$71,179,859

4 Cost of Service Key Findings

Key findings from the cost of service exercise include:

- Richland County runs as a pay-as-you-go system, meaning the Solid Waste and Recycling Division does not carry debt, which is a fiscally wise position for the long-term financial health of the system.
- Richland County Solid Waste and Recycling has several key revenue sources including property tax assessment, curbside collection fees, and tipping fees.
- Fee revenues have remained fairly static in part due slow increases in tonnage of waste and no changes in existing fees for a lengthy period of time.
- There are several city and county departments from which RCSWR does not collect revenues from waste delivered to the land fill (approximately \$2.4 million in FY 2018).
- Annual operational expenses for the division are set to increase as haulers pass on collection costs to the County within their special contracts
- According to the annual excess revenue/deficit projections, Richland County has is expected to experience annual short-falls if nothing is modified.

5 Recommended Rate Design Changes

The cost of service analysis and projected net revenue requirements were used to identify adjustments to the existing tipping fee structure that would be necessary in order to offset the anticipated revenue deficiency in covering the cost of service. Two tipping fee scenarios are presented. Under both scenarios, tipping fees are increased to meet the RCSWR need for revenue sufficiency including capital, equipment, and future operations.

Scenario 1 – Single Rate Adjustment and Collect from Current Non-Paying City and County Departments

The first rate design alternative is a simple single rate adjustment in FY 2020 with no additional adjustments thereafter for the remaining planning period. In addition to the rate adjustment, the RCSWR will begin to collect fees for solid waste from currently non-paying departments within the County. The adjustments will satisfy the revenue requirement over the eight-year planning period without additional adjustments (i.e., no annual indexed adjustment). The County will raise all fees by 25% to cover costs. In this alternative, tipping fee revenues are increased to:

1. Make the solid waste operations whole in each year;
2. Ensure a continued a pay-as-you-go system of capital and equipment improvements without the need for bond finance; and

The tipping fee increase is estimated by apportioning the annual revenue requirements to the individual tip fee categories. The average is taken of the fees (FY 2020 – FY 2027) as shown in Table 2.



Table 2: Projected Rate Design Scenario 1 – Single Rate Adjustment

	Current Rate	Required Rate (FY 2020- 2027)	Increase
Curbside Collection Fee	\$249.00	\$311.25	\$62.25
Curbside Collection Fee (backyard)	\$485.55	\$606.94	\$121.39
C&D (Const. Debris)	\$18.50 / Ton	\$23.50 / Ton	\$5
Yard / Land Clearing Debris / Dirt	\$18.50 / Ton	\$23.50 / Ton	\$5
Brown Goods / Bulk Items (Household Furniture)	\$18.50 / Ton	\$23.50 / Ton	\$5
Metal and Appliances	\$18.50 / Ton	\$23.50 / Ton	\$5
Mattress / Box Spring	\$200.00 / Ton	\$250.00 / Ton	\$50
Tires	\$100.00 / Ton	\$150.00 / Ton	\$50
Broke or wood TV, or CRT Monitors	\$0.55 / LB	\$0.69 / LB	\$0.13
TV & CRT Monitors	\$0.25 / LB	\$0.31 / LB	\$0.06
Other Electronics	\$0.15 / LB	\$0.19 / LB	\$.04
Residential Mulch	\$10.80 / Ton	\$13.50 / Ton	\$2.70
Commercial Mulch	\$10.80 / Ton	\$13.50 / Ton	\$2.70

Table 3: Scenario 1 Annual Profit/Loss Projections for FY 2020 to FY 2027 presents the profit/loss projections for the eight-year forecast under the proposed single rate adjustment in FY 2020. The table shows that under the single rate adjustment, RCSWR would run surpluses in all years except FY 2020, 2026, and 2027. In FY 2020, the RCSWR will defer capital as needed to avoid deficits and in future years, the department can use positive balances to meet fund requirements. For most of the period, the fund would run a cash reserve, this balance provides a cushion over any uncertainty in the projections and could allow for future unplanned expenses.



Table 3: Scenario 1 Annual Profit/Loss Projections for FY 2020 to FY 2027

Category	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
Annual Revenue Requirement	\$33,170,871	\$32,377,406	\$31,266,250	\$32,002,196	\$33,196,061	\$33,068,687	\$34,320,940	\$35,373,713
Annual Revenues from Fees (Tipping + Curbside Collection)	\$32,164,082	\$32,486,716	\$32,813,073	\$33,143,194	\$33,477,123	\$33,814,905	\$34,156,583	\$34,502,202
Annual Net Excess Revenue/Loss	-\$1,006,789	\$109,310	\$1,546,823	\$1,140,998	\$281,062	\$746,218	-\$164,357	-\$871,511
Cumulative Excess Revenue/Loss	-\$1,006,789	-\$897,479	\$649,344	\$1,790,342	\$2,071,403	\$2,817,621	\$2,653,264	\$1,781,753



ADVANTAGES OF SCENARIO 1

- A one-time fee adjustment is easier for accounting
- The RCSWR would maintain a positive cash balance which provides a cushion over any uncertainty in the projections and could allow for future unplanned expenses.

DISADVANTAGES OF SCENARIO 1

- The RCSWR will need to defer some of their 2020 capital improvement plan in order to avoid a continued budget deficit. Those purchases would be made up in the following years as fees are increased.
- When dealing with substantial fee increases, larger 1 year increase in tipping fees may be tougher for haulers who pass fees onto customers.

Scenario 2 – Stepped Tipping Fee Adjustment

Under the second proposed rate alternative, RCSWR would increase rates over two years. In order to accomplish this, RCSWR would defer some of their planned capital expenses to avoid budget deficits.

In the scenario, the second year tipping fee is higher than scenario 1 to cover some of the capital costs deferred in year 1.

Table 4: Projected Rate Design Scenario 2 – Stepped Tipping Fee Adjustment

	Current Rate	FY 2020	FY 2021
Curbside Collection Fee	\$249.00	\$286.35	\$323.70
Curbside Collection Fee (backyard)	\$485.55	\$558.38	\$631.21
C&D (Const. Debris)	\$18.50 / Ton	\$21.50 / Ton	\$24 / Ton
Yard / Land Clearing Debris / Dirt	\$18.50 / Ton	\$21.50 / Ton	\$24 / Ton
Brown Goods / Bulk Items (Household Furniture)	\$18.50 / Ton	\$21.50 / Ton	\$24 / Ton
Metal and Appliances	\$18.50 / Ton	\$21.50 / Ton	\$24 / Ton
Mattress / Box Spring	\$200.00 / Ton	\$230.00 / Ton	\$260.00 / Ton
Tires	\$100.00 / Ton	\$150.00 / Ton	\$150.00 / Ton
Broke or wood TV, or CRT Monitors	\$0.55 / LB	\$0.63 / LB	\$0.72 / LB
TV & CRT Monitors	\$0.25 / LB	\$0.29 / LB	\$0.33 / LB
Other Electronics	\$0.15 / LB	\$0.17 / LB	\$0.20 / LB
Residential Mulch	\$10.80 / Ton	\$12.40 / Ton	\$14.00 / Ton
Commercial Mulch	\$10.80 / Ton	\$12.40 / Ton	\$14.00 / Ton

Table 5 presents the profit/loss projections for the eight-year forecast under the two year stepped rate adjustments in FY 2020 and FY 2021. The table shows that under the stepped rate adjustment, RCSWR would run surpluses in all years except in year 2020. In FY 2020, to avoid this negative cash flow, the RCSWR would defer some of its capital improvement plan to years with positive balances. As in the single rate increase, the positive cumulative balance



provides a cushion over any uncertainty in the projections and could allow for future unplanned expenses.



Table 5: Scenario 2 Annual Profit/Loss Projections for FY 2020 to FY 2027

Category	FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
Annual Revenue Requirement	\$33,170,871	\$32,377,406	\$31,266,250	\$32,002,196	\$33,196,061	\$33,068,687	\$34,320,940	\$35,373,713
Annual Revenues from Fees (Tipping + Curbside Collection)	\$29,587,504	\$33,705,319	\$34,044,730	\$34,388,056	\$34,735,342	\$35,086,635	\$35,441,980	\$35,801,424
Annual Net Excess Revenue/Loss	-\$3,583,366	\$1,327,913	\$2,778,480	\$2,385,860	\$1,539,281	\$2,017,948	\$1,121,040	\$427,711
Cumulative Excess Revenue/Loss	-\$3,583,366	-\$2,255,453	\$523,027	\$2,908,886	\$4,448,167	\$6,466,115	\$7,587,155	\$8,014,867

ADVANTAGES OF SCENARIO 2

- When dealing with substantial fee increases, phased in fee increases are typically easier for haulers who pass fees onto customers than are single year fee increases.
- The RCSWR would maintain a positive cash balance which provides a cushion over any uncertainty in the projections and could allow for future unplanned expenses.

DISADVANTAGES OF SCENARIO 2

- Multi-year fee adjustments may be more difficult for revenue tracking and accounting
- Results in a higher fee in year two through eight than in scenario 1.
- The RCSWR will need to defer some of their 2020 capital improvement plan in order to avoid a continued budget deficit. Those purchases would be made up in the following years as fees are increased.

Richland County Audit Planning Discussion

July 23, 2019

Alan Robinson
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Your guide forward



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Auditor Responsibility

Plan and perform the audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement

Express an opinion on the County's financial statements as of and for the year ended June 30, 2019

Communicate significant matters identified during our audit to the Audit Committee and management



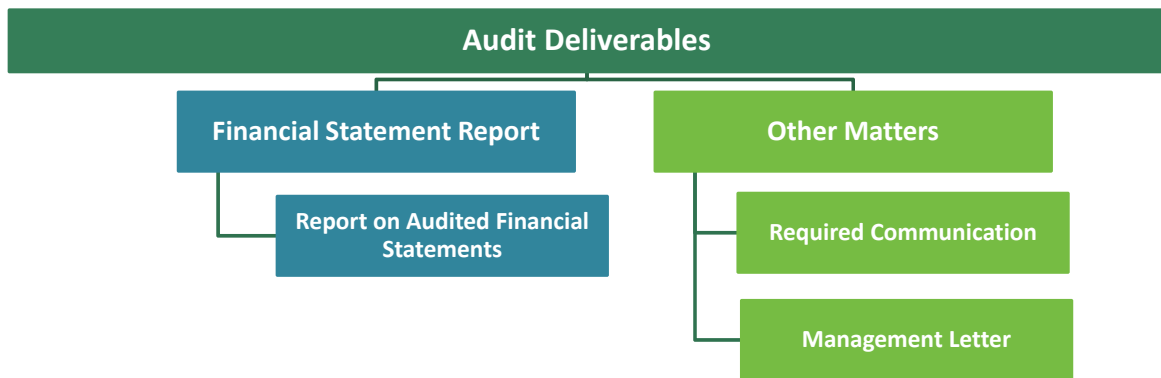
Council Oversight

Your responsibilities include:

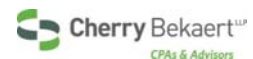
- ▶ Understand the audit scope, timing, approach and audit deliverables
- ▶ Assess audit and fraud risk and advise auditors
- ▶ Receive and review engagement deliverables
 - Engagement Letters
 - Audit Reports and Financial Statements
 - Management Representation Letters
 - Management and Internal Control Communications
 - Required Auditor Communications



Service Deliverables



Audit Timeline



Accounting Judgement and Estimates

- ▶ Reserve for uncollectible accounts
- ▶ Depreciable lives and estimated residual value of capital assets
- ▶ Deferred outflows from State Pension and OPEB
- ▶ Liability for tax refund claims
- ▶ Defined benefit pension plans from State Pension
- ▶ OPEB
- ▶ Accrued compensation
- ▶ Municipal solid waste landfill obligations
- ▶ Deferred revenue from taxes

7



Risk Assessment

<p>Significant Accounts and Transactions</p> <ul style="list-style-type: none"> ▶ Cash and investments ▶ Property tax revenue ▶ Sales tax and state shared revenue ▶ Expenditures ▶ Payroll 	<p>Higher</p>
<ul style="list-style-type: none"> ▶ Proprietary fund type revenues ▶ Capital assets and expenditures ▶ Liability valuations ▶ Debt and debt service expenditures ▶ Grants and similar programs 	<p>Moderate</p>
<ul style="list-style-type: none"> ▶ Net position 	<p>Lower</p>



Future Accounting Standards

- ▶ **GASB Statement No. 87, *Leases***
- ▶ **GASB Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction period.***



How can we help you now?