



RICHLAND COUNTY COUNCIL

DEVELOPMENT AND SERVICES COMMITTEE

Gwendolyn Kennedy	Damon Jeter	Norman Jackson, Chair	Jim Manning	Bill Malinowski
District 7	District 3	District 11	District 8	District 1

**OCTOBER 27, 2009
5:00 PM**

**2020 Hampton Street
Council Chambers**

CALL TO ORDER

APPROVAL OF MINUTES

1. September 22, 2009: Regular Meeting [Pages 4-6]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Bridge Renaming [Pages 8-11]
3. Conservation Donation of 175 acres off Long Creek Parkway [Pages 14-16]

4. Conservation Donation off Sloan Road [Pages 18-20]
5. Enforcement of Various Ordinances re: Commercial Properties [Pages 22-36]
6. Lower Richland County Agricultural Center [Pages 38-41]
7. Utilization of Pineview Property for Farmer's Market [Pages 43-44]
8. What would it take for City Firefighters to Drive County Ambulances in an Emergency Situation [Pages 46-47]

ITEMS FOR DISCUSSION / INFORMATION

9. Accounting for the Last Two Years of the Richland County Neighborhood Council [Pages 49-50]
10. Planning Commission Members and Occupations [Page 52]

ADJOURNMENT



Richland County Council Request of Action

Subject

September 22, 2009: Regular Meeting [Pages 4-6]

Reviews

**Richland County Council
Development and Services Committee
September 22, 2009
9:00 AM**



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

Members Present:

Chair: Norman Jackson
Member: Damon Jeter
Member: Gwendolyn Davis Kennedy
Member: Bill Malinowski
Member: Jim Manning

Others Present: Paul Livingston, Joyce Dickerson, Valerie Hutchinson, L. Gregory Pearce, Jr., Kit Smith, Kelvin Washington, Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Larry Smith, Amelia Linder, Stephany Snowden, Jennifer Dowden, Erica Hink, Julie Wilkie, David Hoops, Donny Phipps, Jim Wilson, Andy Metts, Joe Kocy, Rodolfo Callwood, Bill Peters, John Hixson, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 5:05 p.m.

APPROVAL OF MINUTES

July 28, 2009 (Regular Session) – Mr. Malinowski moved, seconded by Mr. Jackson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope requested that Item #4 be deleted from the agenda.

Mr. Manning moved, seconded by Mr. Malinowski, to adopt the agenda as amended. The vote in favor was unanimous.

ITEMS FOR ACTION

SC Building Code Modification – Mr. Malinowski moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Street Name Signs Ordinance Amendment – Mr. Malinowski moved, seconded by Mr. Manning, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Quit Claim: Hastings Alley – Mr. Malinowski moved, seconded by Mr. Manning, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Deed of Water and Sewer Lines (Bookert Heights, Ridgewood, BRRWWTP) – Mr. Malinowski moved, seconded by Mr. Manning, to forward this item to Council without a recommendation. A discussion took place.

The vote in favor was unanimous.

Transfer of Ownership of Smallwood Village Pond – Mr. Malinowski moved, seconded by Mr. Manning, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Conservation Easement: Neal – Mr. Malinowski moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

Wetlands Mitigation Banking – Ms. Kennedy moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval. A discussion took place.

The vote in favor was unanimous.

Neighborhood Matching Grant Awards – Mr. Malinowski moved, seconded by Ms. Kennedy, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

ITEMS FOR DISCUSSION/INFORMATION

Richland County Neighborhood Council Report – Mr. Kocy gave a brief overview of the RCNC.

Mr. Manning moved, seconded by Ms. Kennedy, to bring back an accounting of the last two years of funding provided to the RCNC from Richland County. The vote in favor was unanimous.

Planning Commission Composition – Mr. Kocy and Ms. Linder gave a brief overview of the Planning Commission composition.

Implementation of the Renaissance Plan (Decker Boulevard) – Mr. Kocy gave a brief overview of this item.

ADJOURNMENT

The meeting adjourned at approximately 5:56 p.m.

Submitted by,

Norman Jackson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Bridge Renaming [Pages 8-11]

Reviews

Richland County Council Request of Action

Subject: Bridge Renaming

A. Purpose

County Council is requested to approve a resolution to support the renaming of a bridge on Monticello Road that travels over Cedar Creek in memory of the late Deputy John Mark Dial.

B. Background / Discussion

During the motion period on October 6, 2009, Councilperson Joyce Dickerson made the following motion, which was referred to the D&S Committee for consideration.

John Mark Dial was a young deputy who was tragically killed by a drunk driver. The Cedar Creek Community would like to honor his memory by renaming the Cedar Creek Bridge after him. The family and community would like this to be a ceremonial affair.

In June 2009, Council approved a resolution to support the renaming of a bridge to honor Candacy Wyanaica and Darcel Sanders, who lost their lives while traveling in the Lower Richland Community.

The resolution for this item is attached, as well as a locator map.

C. Financial Impact

There is no financial impact associated with this request.

D. Alternatives

1. Approve the request and support the renaming of the bridge.
2. Do not approve the request in support of renaming the bridge.

E. Recommendation

This request is at council's discretion.

Recommended by:
Joyce Dickerson

Department:
County Council

Date:
October 6, 2009

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 10/16/09

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation

Item# 2

Attachment number 1
Page 1 of 5

Legal

Reviewed by: Larry Smith

✓ Recommend Council approval

Comments regarding recommendation:

Date:

Recommend Council denial

Administration

Reviewed by: Tony McDonald

✓ Recommend Council approval

Comments regarding recommendation:

Date: 10/16/09

Recommend Council denial

CEDAR CREEK BRIDGE

R06800-02-31

R06700-02-01

**9800 Blk
Monticello Road**

R06800-04-02

R06700-02-02

Monticello Rd

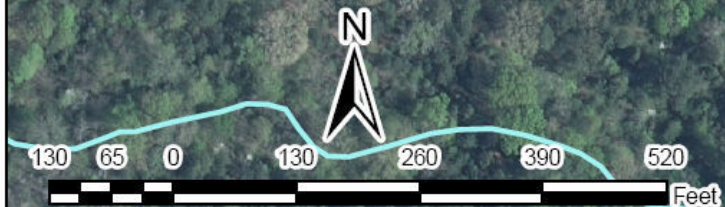
R06700-01-01

R06700-01-02

DISCLAIMER: This is a product of the Richland County GIS Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of this map. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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Richland County Government
2020 Hampton Street
Columbia, SC 29204
Prepared by Betty A. Etheredge, GISP



Richland County Council Request of Action

Subject

Conservation Donation of 175 acres off
Long Creek Parkway [Pages 14-16]

Reviews

Richland County Council Request of Action

Subject: Conservation Donation

A. Purpose

County Council is requested by the Conservation Commission to accept a conservation donation on 175 acres in Northeast Richland County in order to protect valuable natural resources, wetlands, floodplains, water quality, and preserve valuable open space.

B. Background / Discussion

Mr. Bill Dixon, representing Mungo Company, has made a formal application to the Conservation Commission to help protect this valuable property for conservation purposes, natural resources, wildlife, and maintain the rural integrity of the landscape. This land is currently managed for forestry, wildlife, and scenic open space. The property is a critical segment of the Crane Creek Watershed floodplain and buffer corridor. The property buffers development in a planned community. The property is located in County Council District #7 off Long Green Parkway where extensive development has occurred. The Mungo Company would like to contribute to a new conservation image for their community. We salute their donation and conservation values.

C. Financial Impact- None/Donation

The Conservation Commission voted unanimously to make this request to County Council as a private donation for tax benefits only. No Commission funds are being used for easement acquisition. The landowner is donating the property as fee simple deed transfer. We consider this agreement to be beneficial to both parties and it meets the goals of Richland County in a true volunteer partnership. The indirect benefits and cost to Richland County will be less storm water issues, improved water quality, and preserving wetlands, floodplains, wildlife, and valuable green space.

D. Alternatives

1. **Approve the request** to accept the conservation donation in perpetuity which will protect valuable natural resources and preserve green space for all citizens. Accepting this easement benefits our communities and sets an example of volunteer partnership with landowners.
2. Do not approve will allow high density development, reduce green space, remove wildlife habitat, and change our rural landscape character forever.

E. Recommendation

"It is recommended that Council approve the request to accept this conservation donation on 175 acres (est.) owned by Mungo Company.

Recommended by:	Department:	Date:
Carol Kososki, Chair Jim Wilson, Program Manager	Conservation Commission Richland County	9-28-2009

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by (Daniel Drigger): Date: 10/15/09

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Procurement

Reviewed by: (Rodolfo Callwood): Date: 10/15/09

<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Grants

Reviewed by: (Sara Salley): Date: 10.15.09

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

Legal

Reviewed by: (Larry Smith): Date:

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	

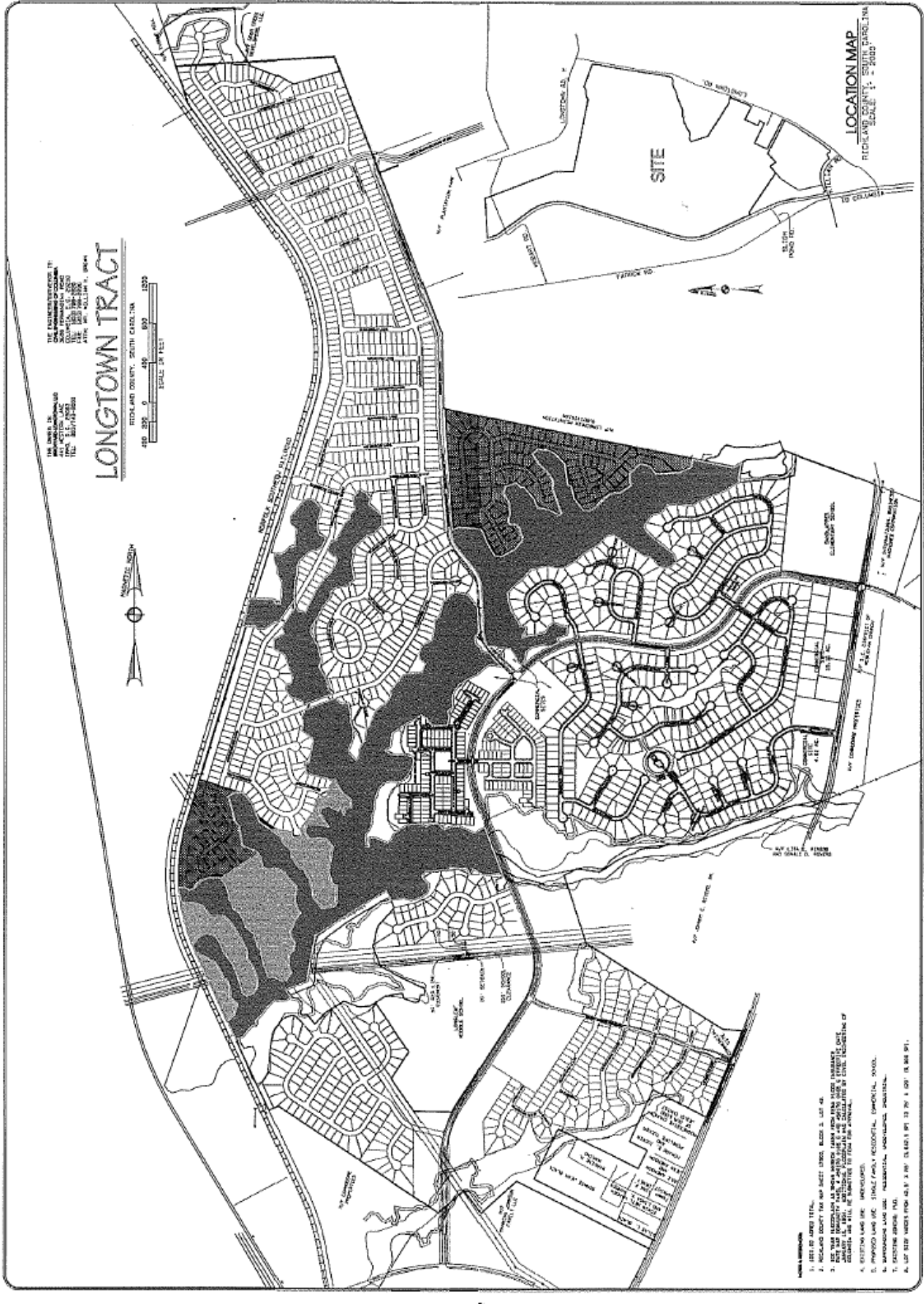
Administration

Reviewed by: (Sparty Hammett): Date: 10/16/09

✓ Recommend Council approval	<input type="checkbox"/> Recommend Council denial
Comments regarding recommendation:	
Conservation Donation of 175 acres off Long Creek Parkway	

		EXHIBIT OF WETLAND AND NON-WETLAND/BUFFER PROJECT NO. 20032 CLIENT: BIRKENHEAD-LONGFORD, LLC 1000 SOUTH CAROLINA RICHMOND, NORTH CAROLINA
		DATE: 08/14/13 DRAWN BY: N. BISHOP CHECKED BY: M. L. SMITH SCALE: 1" = 200'

CIVIL ENGINEERING & PLANNING
 CONSULTING ENGINEERS, ARCHITECTS AND PLANNERS
 1000 SOUTH CAROLINA, RICHMOND, NORTH CAROLINA 29204
 TEL: (803) 733-1100 FAX: (803) 733-1101
 WWW: WWW.CEPA-NC.COM



THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPOSED PROJECT AND HAS FOUND THAT THE PROJECT IS IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS OF THE FEDERAL AVIATION ADMINISTRATION, FEDERAL REGULATIONS, TITLE 49, PART 47, SUBPART B, SECTION 1.1001, AND THE FEDERAL AVIATION ADMINISTRATION, FEDERAL REGULATIONS, TITLE 49, PART 47, SUBPART B, SECTION 1.1002.

LONGTOWN TRACT
 RICHLAND COUNTY, SOUTH CAROLINA
 SCALE: 1" = 200'

- GENERAL NOTES:**
1. EXISTING LOTS TOTAL.
 2. RICHLAND COUNTY TAX MAP SHEET 2002, BLOCK 3, LOT 46.
 3. ALL PROPOSED LOTS SHALL BE SUBMITTED TO THE RICHLAND COUNTY PLANNING AND ZONING DEPARTMENT FOR REVIEW AND APPROVAL. THE RICHLAND COUNTY PLANNING AND ZONING DEPARTMENT SHALL BE RESPONSIBLE FOR THE REVIEW AND APPROVAL OF THE PROJECT.
 4. EXISTING LAND USE: RESIDENTIAL.
 5. PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL, COMMERCIAL, SCHOOL.
 6. EXISTING ZONING: PUD.
 7. EXISTING ZONING: PUD.
 8. ALL LOTS SHALL BE SUBMITTED TO THE RICHLAND COUNTY PLANNING AND ZONING DEPARTMENT FOR REVIEW AND APPROVAL.

Richland County Council Request of Action

Subject

Conservation Donation off Sloan Road [Pages 18-20]

Reviews

Richland County Council Request of Action

Subject: Conservation Donation

A. Purpose

County Council is requested by the Conservation Commission to accept a conservation donation on 4 acres in Northeast Richland County off Sloan Road in order to protect valuable natural resources, forest land, water quality, and preserve valuable open space.

B. Background / Discussion

Mr. David Hilburn, representing South Capitol Group, has made a formal application to the Conservation Commission to help protect this valuable property back of Flora Springs Park for conservation purposes, natural resources, wildlife, forestry, and maintain the rural integrity of the landscape. This land is currently managed for forestry, wildlife, and scenic open space. The property is a critical segment of the Gills Creek Watershed. The property buffers development in a planned community. The property is located in County Council District #7 where extensive development has occurred. The South Capitol Group would like to contribute to a conservation image for their community. We salute their donation and conservation values.

C. Financial Impact- None/Donation

The Conservation Commission voted unanimously to make this easement request to County Council as a private donation for tax benefits only. No Commission funds are being used for land acquisition. The landowner is donating the property as fee simple deed transfer. We consider this agreement to be beneficial to both parties and it meets the goals of Richland County in a true volunteer partnership. The indirect benefits and cost to Richland County will be less storm water issues, improved water quality, and preserving wildlife, and valuable green space.

D. Alternatives

1. **Approve the request** to accept the conservation land in perpetuity will protect valuable natural resources and preserve green space for all citizens. Accepting this donation will benefit our communities and sets an example of volunteer partnership with landowners.
2. Do not approve will allow high density development, reduce green space, remove wildlife habitat, and change our rural landscape character forever.

E. Recommendation

"It is recommended that Council approve the request to accept this conservation donation on 4 acres (est.) owned by South Capitol Group.

Recommended by: Carol Kososki, Chair
Jim Wilson, Program Manager

Department: Conservation Commission
Richland County

Date: 9-28-2009

F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by (Finance Director):
✓ Recommend Council approval
Comments regarding recommendation:

Date: 10/16/09
 Recommend Council denial

Procurement

Reviewed by: Procurement Director
 Recommend Council approval
Comments regarding recommendation:

Date: 10/16/09
 Recommend Council denial

Grants

Reviewed by: Sara Salley
 Recommend Council approval
Comments regarding recommendation: Council Discretion

Date: 10/16/09
 Recommend Council denial

Legal

Reviewed by:
✓ Recommend Council approval
Comments regarding recommendation:

Date:
 Recommend Council denial

Administration

Reviewed by: Sparty Hammett
✓ Recommend Council approval
Comments regarding recommendation:

Date: 10/16/09
 Recommend Council denial



Richland County Council Request of Action

Subject

Enforcement of Various Ordinances re: Commercial Properties [Pages 22-36]

Reviews

Richland County Council Request of Action

Subject: Enforcement of Various Ordinances re: Commercial Properties

A. Purpose:

Council is requested to direct staff with regards to the following motion.

B. Background/Discussion:

The following motion was made at the September 15, 2009 Council meeting:

[Manning] Richland County investigate the adoption of an ordinance which results in the enforcement of expired Commercial Vehicle tags, animals and overgrown business properties etc. that parallels that which applies to residential properties in neighborhoods like Woodfield Park. Referred to the October D&S Committee.

Ordinances are currently in place regarding animal care for both residential and commercial properties, overgrown lots (residential properties), and unlicensed, expired, or invalid licenses on vehicles on residential properties. These ordinances are attached for your convenience.

Per our Animal Care Director, Sandra Haynes, Animal Care enforcement of violations on commercial properties is handled in the same manner as enforcement on residential property. Officers investigate cruelty to animals, animals roaming at large, rabies tags/license violations, trap or tranquilize abandoned dangerous, vicious, nuisance animals, impound stray unwanted animals and animals that must be quarantined.

However, according to Zoning, there is no provision in the Land Development Code (adopted in 2005) that enables Zoning to enforce overgrown lots or abandoned vehicles on **commercial** properties. Zoning does, however, enforce specific illegal uses, such as, tow yards, junk yards, salvage yards, etc.

Council may wish to amend these ordinances to reflect enforcement on **commercial** properties. It is at this time that staff requests direction regarding this item.

C. Financial Impact:

Not known at this time, as clarification is requested.

D. Alternatives:

1. Clarify the motion and direct staff to proceed as Council sees fit.
2. Receive the item as information.

E. Recommendation

Recommended by: Councilman Manning **Date:** 9-15-09

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments: Request for clarification

Planning

Reviewed by: Joseph Kocy

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments: Council discretion

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Sec. 18-4. Weeds and rank vegetation.

(a) *Definition.* For purpose of this section, the term "weeds and rank vegetation" means dense, uncultivated, herbaceous overgrowth over two (2) feet in height, or briars and trailing vines exceeding ten (10) feet in length.

(b) *Declaration of nuisance.* Weeds and other rank vegetation allowed to grow to a height of two (2) feet and stand upon any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the sheriff. For the purpose of this action, "residential area" is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced.

(c) *Duty of owner, etc., to cut.* It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area within the county to cut, or cause to be cut, all weeds and other rank vegetation, as described in this section, as often as may be necessary to prevent the growth of such weeds and other rank vegetation. However, lots of one acre or more are not required to be cut back more than fifty (50) feet from the road and each side property line.

(d) *Notice to owner, etc., to cut.* Whenever the sheriff shall find that weeds or other rank vegetation has been allowed to stand upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, s/he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises.

(e) *Failure to comply with notice.* If the person to whom the notice is directed, under the provisions of the preceding subsection, fails or neglects to cause such weeds or other rank vegetation to be cut and removed from any such premises within ten (10) days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of section 1-8 of this code.

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

(g) *Work may be done by county upon request.* Upon the written request by the owner or the person in control of any lot or parcel of land covered by this section, and the payment to the county for the services, the department of public services may enter upon any such lands and cut and remove the weeds or other rank vegetation therefrom, the charge and cost of such service to be paid into the county treasury.

(Ord. No. 1130-84, §§ 1-7, 3-6-84; Ord. No. 1611-87, §§ 1-5, 5-5-87; Ord. No. 1843-89, §§ I-III, 3-7-89; Ord. No. 2086-91, §§ I, II, 4-16-91; Ord. No. 051-02HR, § III, 9-17-02)

Editor's note--Ord. No. 2154-91, § I, adopted Nov. 19, 1991, repealed in its entirety former section 18-4, which restricted smoking in public places and derived from Ord. No. 1568-86, § 1, adopted Jan. 31, 1987.

Sec. 17-10. Parking in residential zones of the county.

(a) It shall be unlawful for a truck tractor, a semi-trailer having more than two (2) axles, or a trailer having more than two (2) axles to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the "Zoning Map of Unincorporated Richland County", as amended. For the purpose of this paragraph, the following definitions shall apply:

(1) *Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn.

(2) *Semi-trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

(3) *Trailer* means every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no part of its weight rests upon the towing vehicle.

(b) It shall be unlawful for an automobile, motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired or invalid licenses to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or Multi-Family Residential under the Richland County Zoning Ordinance and the "Zoning Map of Unincorporated Richland County," as amended.

(c) All motor vehicles and/or trailers without a valid state-issued license plate permitting operation on public roads and highways, which are stored, parked or located on a lot in any zoning district in the unincorporated areas of the county, except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district, are required to be kept in a garage, carport, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such vehicle shall not be visible from the public right-of-way. Licensed automobile dealerships, persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.

(d) Any motor vehicle and/or trailer that is not capable of operating in accordance with South Carolina law and/or capable of moving under its own power (even if it has a valid state-issued license plate permitting operation on public roads and highways) shall not be stored, parked, or located on a lot in any residential zoning district in the unincorporated areas of the

county (except for those parcels that are five (5) acres of greater in the (RU) Rural zoning district) for more than a single period of thirty (30) consecutive days during any calendar year unless it is kept in an enclosed garage, in a carport attached to the residence, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such vehicle shall not be visible from the public right-of-way.

(e) *Penalties.* Unless otherwise prescribed by law, any owner and/or operator of a motor vehicle and/or trailer violating the provisions of this section shall be deemed guilty of a misdemeanor. In addition, any owner and/or occupant of the residential property on which a motor vehicle and/or trailer is parked in violation of this section shall be deemed guilty of a misdemeanor.

(f) *Administration and enforcement.* The Sheriff of the county shall be authorized to enforce the provisions of this section and to engage a towing service to remove any vehicle parked in violation of these regulations, provided the cost of towing services shall be charged to the registered owner of any vehicle so removed.

(Ord. No. 061-01HR, § I, 9-4-01; Ord. No. 054-02HR, §II, 10-1-02; Ord. No. 040-03HR, §I, 6-3-03; Ord. No. 053-06HR, § I, 6-6-06)

CHAPTER 5: ANIMALS AND FOWL*

***Editor's note**--Ord. No. 066-04HR, § I, adopted October 28, 2004, repealed former Ch. 5, relative to **animals** and fowl and enacted a new Ch. 5 to read as herein set out. The provisions of former Ch. 5 derived from Ord. No. 1899-89, § I, adopted July 31, 1989, and amended by Ord. No. 1907-89, § III, adopted September 9, 1989; Ord. No. 2091-91, adopted May 27, 1991; Ord. No. 053-00HR, § I, adopted September 9, 2000; Ord. No. 40-02HR, § I, adopted July 23, 2002; Ord. No. 67-02HR, § I, adopted November 12, 2002; and Ord. No. 041-03HR, § I, adopted June 3, 2003.

Cross reference(s)--Department of **animal** care, § [2-205](#) et seq.

State law reference(s)--Cruelty to **animals**, S.C. Code 1976, § 47-1-10 et seq.; sheep-killing dogs, § 47-3-210 et seq.; rabies control, § 47-5-10 et seq.; uninoculated pets, § 47-5-130; ordinances and regulations for the control of dogs and other domestic pets, § 47-3-20 et seq.

Sec. 5-1. Definitions.

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

Abandon shall mean to desert, forsake, or intend to give up absolutely an **animal** without securing another owner.

Animal shall mean, in addition to dog and cat, any organism of the kingdom of Animalia, other than a human being.

Animal care officer shall mean any person employed by the county to enforce the **animal** care program.

Animal shelter shall mean any premises designated by the county for the purpose of impounding, care, adoption, or euthanasia of dogs and cats held under authority of this chapter.

At large shall mean a pet running off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device.

Nuisance shall mean an **animal** that disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

Owner shall mean any person who:

- (1) Has a property right in an **animal**;
- (2) Keeps or harbors an **animal** or who has it in his or her care or acts as its custodian; or

- (3) Permits an **animal** to remain on or about any premises occupied by him or her.

Pet shall mean a domestic dog (*canis familiaris*) and/or a domestic cat (*felis catus domesticus*).

Under restraint shall mean a pet that is on the premise of its owner or keeper by means of a leash, fence or other similar restraining device, or is on the premises of its owner or keeper and accompanied by the owner/keeper, or a pet that is off the premises of its owner or keeper but is accompanied by its owner or keeper and is under the physical control of such owner or keeper by means of a leash or other similar restraining device.

(Ord. No. 066-04HR, § I, 10-28-04)

Cross reference(s)--Rules of construction and definitions generally, § [1-2](#).

Sec. 5-2. Differential county license fees; rabies vaccination tags.

(a) It shall be unlawful for the owner of any pet to fail to provide any pet over six (6) months of age with a current county license tag. The owner of any pet over six (6) months of age must also have a current rabies vaccination tag showing that such pet has been vaccinated by a licensed veterinarian. No license will be issued unless proof of inoculation is shown. Any pet owner who moves into the county for the purpose of establishing residency shall have thirty (30) days in which to obtain the license.

(b) The county license fee for fertile pets shall be twenty dollars (\$20.00) per year. The county license fee for sterilized pets shall be four dollars (\$4.00) per year. Licenses will expire one (1) year after the date of issue, and owners will have until the end of the month of original issue to renew the licenses.

(c) The **animal** care department shall annually provide a sufficient number of durable tags suitable for pets numbered from one (1) upwards on which shall be stamped the year and the words "pet license." Such tags must be worn by all pets in the county at all times. Any pet owner who has their **animal** tattooed may register the tattoo number with the **animal** care department in addition to obtaining a tag.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-3. Exemptions from differential licensing.

(a) The following classifications of owners of pets shall be exempt from paying the higher license fee for fertile pets. These exempt persons shall be required to purchase a license for their pet but will pay only a fee of four dollars (\$4.00) for each license and will not be required to have the pet spayed/neutered:

(1) Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not withstand spay/neuter surgery;

(2) Any owner of one or more purebred pets who can furnish proof of participation in nationally recognized conformation or performance events; or

(3) Any owner of a dog that is currently being used for hunting purposes and is properly registered with the South Carolina Wildlife Department and whose owner has a valid South Carolina hunting license.

(b) Any individual who is handicapped and who owns a dog which is used for seeing, hearing, or other such assistance purposes shall be required to obtain an annual license but shall not be required to pay any license fee.

(c) The county **animal** care department shall obtain the name and address of each party to whom a license and tag have been issued under the provisions of this section and shall keep the same on file in the offices of the department for the purpose of identification.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-4. Dangerous or vicious **animals**.

(a) No person owning or harboring or having the care or the custody of a dangerous **animal** may permit the **animal** to go unconfined on his premises. A dangerous **animal** is unconfined as the term is used in this section if the **animal** is not securely confined indoors or confined in a securely enclosed and locked pen or "run" area upon the person's premises. The pen or run area also must have either: 1) sides six (6) feet high, or 2) a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground at a depth of no less than one (1) foot. However, the provisions of this section shall not apply to any **animal** that is owned by a licensed security company and is on patrol in a confined area.

(b) For the purposes of this section a dangerous or vicious **animal** shall be defined to be any one of the following:

(1) Any **animal** with a propensity, tendency or disposition to attack, to cause injury to, or to otherwise endanger the safety of human beings or other domestic **animals**; or

(2) Any **animal** which attacks a human being or other domestic **animal** one or more times without provocation whether or not such attack occurs on the premises of the animal's owner; or

(3) An **animal** owned or harbored primarily or in part for the purpose of **animal** fighting or an **animal** trained for **animal** fighting.

(c) Any **animal** that has been determined to be a dangerous or vicious **animal** may be impounded by the **Animal** Care Department. Such **animals** shall not be euthanized unless the owner has surrendered the **animal** to the **animal** shelter and has completed and signed a surrender form or until a hearing is held before an appropriate magistrate and the magistrate has determined that the **animal** should be euthanized. However, if the magistrate has determined that

the owner may redeem the animal, the Animal Care Department shall release the animal upon receipt of all redemption fees as described in Section 5-14, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the animal shelter and may be euthanized.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-5. Running at large – restraint.

(a) All domestic animals must be kept under restraint or confinement. Any domestic animal not so restrained will be deemed unlawfully running at large in the unincorporated area of the county. Provided, however, this subsection shall not apply to domestic cats that have been spayed or neutered.

(b) Dogs that are participating in hunting events, obedience trials, conformation shows, tracking tests, herding trials, or lure courses shall not be considered "at large."

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-6. Removal of excrement.

The owner of every pet shall be responsible for the removal of any excretions deposited by his or her pet on public walks and ways, recreation areas, or private property other than that of the owner.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-7. Injured or diseased pets.

Anyone striking a pet with a motor vehicle or bicycle shall notify the county animal care department who will then take action necessary to make proper disposition of the pet. Any pet received by the animal shelter in critical condition from wounds, injuries, or disease may receive sustaining treatment by a licensed veterinarian until such time as the owner of the pet is contacted. Any such pet in critical condition, as described in this section, may be humanely destroyed if the owner cannot be contacted within five (5) hours. If the pet is in severe pain it may be destroyed immediately.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-8. Nuisance animals.

(a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

(b) It shall be unlawful for any person to own, keep, possess, or maintain an **animal** in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any **animal** are hereby declared to be a public nuisance and are, therefore, unlawful:

(1) Failure to exercise sufficient restraint necessary to control an **animal** as required by Section 5-5.

(2) Allowing or permitting an **animal** to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers, or vegetables.

(3) Failure to maintain a dangerous **animal** in a manner other than that which is described in section 5-4.

(4) Maintaining **animals** in an environment of unsanitary conditions which results in offensive odors or is dangerous to the **animal** or to the public health, welfare or safety.

(5) Maintaining his or her property in a manner that is offensive, annoying, or dangerous to the public health, safety, or welfare of the community because of the number, type, variety, density, or location of the **animals** on the property.

(6) Allowing or permitting an **animal** to bark, whine, or howl in an excessive, unwarranted, and continuous or untimely fashion, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

(7) Maintaining an **animal** that is diseased and dangerous to the public health.

(8) Maintaining an **animal** that habitually or repeatedly chases, snaps at, attacks, or barks at pedestrians, bicycles, or vehicles.

(c) An **animal** that has been determined to be a habitual nuisance by the **animal** care department may be impounded and may not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated.

(d) Every female **animal** in heat shall be kept confined in a building or secure enclosure in such manner as will not create a nuisance by attracting other **animals**.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-9. Animal care, generally.

(a) It shall be unlawful for an owner to fail to provide his or her **animal**(s) with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment.

(b) It shall be unlawful for a person to beat, cruelly treat, torment, overload, overwork, or otherwise abuse an **animal**, or cause, instigate, or permit any dogfight or other combat between **animals** or between **animals** and humans.

(c) It shall be unlawful for a person to dye or color artificially any **animal** or fowl, including but not limited to rabbits, baby chickens, and ducklings, or to bring any dyed or colored **animal** or fowl into the County.

(d) It shall be unlawful for any owner to abandon an **animal** in the unincorporated area of the county.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-10. Sale of pets.

(a) No person shall sell, trade, barter, auction, lease, rent, give away, or display for commercial purpose, any live pet, on any roadside, public right- of-way, public property, commercial parking lot or sidewalk, or at any flea market, fair or carnival.

(b) No person shall offer a pet as an inducement to purchase a product, commodity or service.

(c) No person shall sell, offer for sale or give away any pet under eight (8) weeks of age, except as surrender to a municipal and/or county **animal** shelter or to a licensed pet rescue organization.

(d) Licensed pet shops, commercial kennels, municipal and/or county **animal** shelters, and licensed pet rescue organizations are exempt from the requirements of this section.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-11. Care of **animals** during transport.

During transportation, an **animal** must be provided adequate space and ventilation, and must not be confined in one area for more than thirty-six consecutive hours without being adequately exercised, rested, fed, and watered.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-12. Seizure and right of entry to protect abandoned, neglected, or cruelly treated **animals**.

(a) If the owner does not give permission, the **animal** control officer may obtain a search warrant to enter any premises upon which it is suspected a violation of this chapter exists. Once upon the premises, the officer may examine such **animal** and may take immediate custody of the **animal** when, in his or her opinion, it requires removal from the premises. The **animal** control

officer shall thereafter petition the appropriate magistrate for a hearing, which shall be a civil proceeding. The hearing shall be set not more than ten days from the date of the seizure of the animal to determine whether the owner, if known, is able to adequately provide for the animal and is a fit person to own the animal. The animal control officer shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal is found, written notice at least five (5) days prior to the hearing of the time and place of the hearing. If the owner is not known or cannot be found within the jurisdiction wherein the animal was found, the animal control officer shall post a copy of the notice at the property where the animal was seized. The pet or animal shall remain in the custody and care of the animal shelter until such matter is heard before the magistrate. The magistrate shall make the final determination as to whether the animal is returned to the owner or whether title is transferred to the animal shelter whereby the animal may be put up for adoption or humanely destroyed. If the magistrate orders the return of the animal to its owner, the animal control officer shall release the animal upon receipt from the owner of all redemption fees as described in Section 5-14, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the animal control shelter and may be placed for adoption or euthanized. The court, in determining whether the owner is able to adequately provide for the animal or is a fit person to own the animal, may take into consideration, among other things, the owner's past record of convictions under this chapter, or one similar thereto, and the owner's mental and physical condition.

(b) Nothing in this section shall be construed to prohibit the euthanization of a critically injured or ill animal for humane purposes.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-13. Impounding.

(a) Any animal found within the unincorporated area of the county in violation of the provisions of this chapter may be caught and impounded by county authorities. If an animal cannot be caught in a safe, efficient manner, animal care personnel may tranquilize the animal by use of a tranquilizer gun. The animal care department may, thereafter, make available for adoption or humanely destroy impounded animals not redeemed within five (5) days.

(b) When a person arrested is, at the time of the arrest, in charge of an animal, the county animal care department may take charge of the animal and deposit the animal in a safe place of custody or impound the animal at its animal shelter.

(c) The county may transfer title of all animals held at its animal shelter after the legal detention period has expired and its owner has not claimed the animal.

(d) Immediately after impounding a pet that is wearing a abies tag, a county license tag, or another identification tag, or a pet that has an implanted identification microchip or an obvious identification tattoo, a reasonable effort will be made to locate the owner and to inform him or her of the circumstances under which he or she may regain custody of the pet impounded by the county reflecting its disposition.

(e) Any **animal** found "at large" may be impounded by the **animal** care officer and may not be redeemed by its owner unless such redemption is authorized by the county **animal** care department, with assurance from the owner that proper care and custody will be maintained.

(f) Any **animal** surrendered to the **animal** shelter may be adopted or euthanized at any time provided there is a completed and signed surrender form on file for the **animal** concerned.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-14. Redemption.

(a) The owner or keeper of any pet that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet at any time within five (5) days upon payment of a fee as follows:

(1) For a pet that has been properly inoculated, licenced, microchipped, and neutered or spayed, the fee shall be \$10.00.

(2) For other pets the fee shall be \$10.00 plus the appropriate license fee, the charge for rabies inoculation, the cost of microchipping the pet, and the cost of spaying or neutering the pet. No fertile pet shall be redeemed or adopted unless one of the criteria under the exceptions provisions in subsections [5-3\(a\)\(1\)](#) - (3) has been met. No pet will be released without proof of inoculation and without an implanted microchip.

(b) In addition to the redemption fee, an impound fee of \$20.00 and a board fee of \$7.00 per day per pet shall be paid by the owner or keeper when a pet is redeemed.

(c) The fees set out in this section shall be doubled for any pet impounded twice or more within the same 12-month period.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-15. Adoption.

(a) Any **animal** impounded under the provisions of this chapter may at the end of the legal detention period be adopted provided the new owner will agree to comply with the provisions contained herein.

(b) All adult pets adopted from the **animal** shelter shall be spayed or neutered, and inoculated against rabies.

(c) Those individuals adopting puppies or kittens too young to be neutered or spayed or receive rabies inoculations will pay the cost of these procedures at the time of adoption and be given an appointment for a later time to have these procedures accomplished. In the event the **animal** is deceased prior to the appointment date, the applicable portion of the adoption fee will be returned.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-16. Interference with animal care officers.

It shall be unlawful for any person to interfere with, hinder, or molest an animal care officer in the performance of his or her duty or seek to release any pet in his/her custody without his/her consent.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-17. Complainant's identification to remain confidential.

The identity, or information tending to reveal the identity, of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation of this chapter, shall remain confidential to the agency receiving the report unless the complainant authorizes the release of his or her identity.

(Ord. No. 066-04HR, § I, 10-28-04)

Sec. 5-18. Penalties.

(a) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both. Each day's continuing violation shall constitute a separate and distinct offense.

(b) The owner or person having charge or custody of an animal cruelly used who is convicted of any violation of this chapter forfeits ownership, charge, or custody of the animal and at the discretion of the court, the person who is charged with or convicted of a violation of this chapter must be ordered to pay costs incurred to care for the animal and related expenses.

(Ord. No. 066-04HR, § I, 10-28-04)

Richland County Council Request of Action

Subject

Lower Richland County Agricultural
Center [Pages 38-41]

Reviews

Richland County Council Request of Action

Subject: Lower Richland County Agricultural Center

A. Purpose:

Council is requested to provide clarification and direction to staff with regards to the Lower Richland County Agricultural Center proposal.

B. Background/Discussion:

The following action occurred during the October 6, 2009 Council meeting:

To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market: This item was deferred to the A&F Committee. The Administrator stated that another proposal (Lower Richland County Agricultural Center) had been received. This proposal was forwarded to the D&S Committee.

The Lower Richland County Agricultural Center synopsis is attached. A complete, hard copy of the proposal was left in Council members' mailboxes.

There are currently three farmers' market related items in the D&S and A&F Committees this month. They are as follows:

1. This item.
2. To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market
3. Since Richland County already has several acres of land at the site where a farmers market was to be built in conjunction with the state, I would like staff to look into the feasibility of Richland County utilizing this land for the same purpose in the future. This will be a tremendous cost savings in the event Richland County describes to build such a market.

It appears as though there are different actions being requested for the same, or similar, project: that of a Richland County Farmers' Market.

It is at this time that staff is requesting clarification and direction to staff with regards to the Lower Richland County Agricultural Center proposal.

C. Financial Impact:

Not known at this time, as clarification and direction are requested.

D. Alternatives:

1. Provide clarification and direction on the Lower Richland County Agricultural Center.

2. Do not provide clarification or direction on this item.

E. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Request for clarification

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Council discretion

Administration

Reviewed by: J. Milton Pope

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Committee recommendation and Council discretion



PO Box 1837
Columbia, SC 29202

October 1, 2009

Mr. Milton Pope
County Administrator, Richland County
2020 Hampton Street
Columbia, South Carolina 29201

RE: Lower Richland County Agricultural Center

Dear Mr. Pope:

In response to Richland County's interest to provide a local outlet for vendors currently in the State Farmers Market, its desire to keep jobs in Richland County, and to provide a clean, friendly and accessible location for residents of the County and surrounding areas to shop, Shop Road Holdings, LLC is pleased to offer a site for its consideration.

As owners of nearly 130 acres on Shop Rd, Shop Road Holdings, LLC is able to offer the County several options that would allow for an economical entry to market. This site would allow the County to develop to the specifications of the Vendors, rather than incurring the costs associated with retro-fitting the existing structures. Since we are working with a blank canvas, this proposal serves as a template which can be adapted to fit the economic needs of both the Vendors and the County.

This proposal represents approximately 21 acres and over 200,000 sf of Vendor space, including a retail component as well as a nursery area that capitalizes on and maximizes the natural aesthetics of the area. Noteworthy is the fact that all utilities are on site, the site is relatively flat, and all detention is offsite, thereby making the entire 21 acres usable. The site is less than 1 mile from the Shop Road exit (Exit 5) on Interstate 77.

Following this letter is a conceptual site plan that demonstrates not only the efficiency that can be achieved when starting with a blank canvas, but the amount of Vendor space that can be provided.

We understand that the County may not currently have cash available to purchase the property however, we remain interested in exploring potential transactions that may be mutually beneficial. We believe that the current fair market value of the property for purposes of an as-is sale (based on \$40,000 per acre) is \$840,000.

We are interested in discussing with you various alternatives with regard to the property, including:

1. As-Is direct land purchase of the 21 acres with County responsible for all infrastructure improvements. These infrastructure improvements are estimated to be approximately 1.1million dollars. Our estimates to construct sheds, retail and provide all paving necessary is \$50.00 per sf of building. Therefore, if the County was to provide, with input from the Vendors, 100,000 sf of vendor specific space; the total cash outlay by the County is less than 7 million dollars, and it would still have over half of the property available for expansion;
2. Partial seller financing of a purchase of the property by the County;
3. Long-term ground lease of the property to the County with an option to purchase;
4. A joint venture arrangement between Shop Road Holdings, LLC, and the County, in which we (Shop Road Holdings, LLC) would contribute the property to a newly formed entity with the County in exchange for a preferred, guaranteed return, and the County would provide the necessary infrastructure and improvements;
5. Shop Road Holdings, LLC, with Richland County endorsement, develops site to the specific needs of the vendors and negotiates an agreement with those Vendors. Important in this option is that the Vendors acknowledge that they have the full support of the County to move forward on this location and that the County will not divert support to another site in the future;
6. County Purchase approximately 65 acres as-is and develop as desired. Purchase price (based on \$35,000 per acre) would be \$2,275,000.

Thank you, again, for your interest in the property.

CC: Member of Richland County Council

Very truly yours,

SHOP ROAD HOLDINGS, LLC

BY: 
Benjamin E. Brantley, Manager

Richland County Council Request of Action

Subject

Utilization of Pineview Property
for Farmer's Market [Pages 43-44]

Reviews

Richland County Council Request of Action

Subject: Utilization of Pineview Property for a Farmers' Market

A. Purpose:

Council is requested to provide clarification and direction to staff with regards to the utilization of the Pineview property for a Farmers' Market.

B. Background/Discussion:

The following motion was made during the September 15, 2009 Council meeting:

[Malinowski] Since Richland County already has several acres of land at the site where a farmers market was to be built in conjunction with the state, I would like staff to look into the feasibility of Richland County utilizing this land for the same purpose in the future. This will be a tremendous cost savings in the event Richland County describes to build such a market: Referred to the October D&S Committee. ACTION: ADMINISTRATION

There are currently three farmers' market related items in the D&S and A&F Committees this month. They are as follows:

1. This item.
2. To Negotiate the purchase of 1400 Atlas (Boozer Lumber Site) property for the purpose of maintaining a local Farmers' Market
3. The alternate proposal received by the Administrator, which was forwarded to the D&S Committee.

It appears as though there are different actions being requested for the same, or similar, project: that of a Richland County Farmers' Market.

It is at this time that staff is requesting clarification and direction regarding the utilization of the Pineview property for a Farmers' Market.

C. Financial Impact:

Not known at this time, as clarification and direction are requested.

D. Alternatives:

1. Provide clarification and direction on the motion by Councilman Malinowski.
2. Do not provide clarification or direction on this item.

E. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Request for clarification

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

✓ No Recommendation

Comments: Council discretion

Administration

Reviewed by: J. Milton Pope

Date:

Recommend Approval

✓ Recommend Denial

No Recommendation

Comments: Staff must caution that, per the MOU between the South Carolina Research Authority and Richland County, the intended development and use for the property is for the creation of knowledge economy jobs.

This MOU also is intertwined with the farmers' market settlement with the South Carolina Department of Agriculture. Therefore, any modifications or variances from the MOU could have ramifications on the lawsuit settlement. The property, owned by both Richland County and the South Carolina Research Authority, is intended to be used in a complementary fashion which would foster a knowledge economy environment. Per the MOU, the property is envisioned to be utilized by companies that require larger facilities after completing an incubation period at the SCRA's Innovation Center in downtown Columbia. The property would also serve as a location for knowledge based companies seeking to expand in or relocate to the County. These companies could engage in a variety of activities, including but not limited to biological research, fuel cell manufacturing, medical device manufacturing, and alternative energy engineering. SCRA and the County, per the MOU, will work cooperatively to attract tenants to the property. Also per the MOU, the County and SCRA will formulate a master plan for the development of the property, which is to be based on the prescribed development parameters of the property.

Richland County Council Request of Action

Subject

What would it take for City Firefighters to Drive County Ambulances in an Emergency Situation [Pages 46-47]

Reviews

Richland County Government

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



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

Office of the County Administrator

By Motion of Councilman James Manning and Councilman Kelvin Washington, County staff has been asked/directed to report findings on what it would take for City Firefighters to drive County Ambulances and a request to explore an option for Firefighters to drive Ambulances from the City of Columbia (see attached request).

10-6-09 Council Meeting Motion (Councilman Manning and Washington): Council directs staff to investigate and report the findings on what it would take for qualified fire engine drivers to be able to drive an EMS ambulance in an emergency situation.

Administration and Emergency Services both accept and support the City of Columbia's request to allow firefighters to drive ambulances in appropriate instances with the following conditions:

1. City of Columbia Fire Department will become a legally licensed First Responder Agency.
2. County Council would have to amend our driving policy for non-County employees.
3. City Fire personnel would have to successfully complete the County's Defensive Driving Program.
4. City Fire personnel must be trained, and sign a memo of understanding concerning Federal Privacy laws including termination for violations of the law.
5. City Fire personnel must be trained and equipped to meet the requirements for blood borne and air borne pathogen protection standards.
6. City of Columbia must acknowledge in writing acceptance of all liability and cost of associated incidents occurring as a result of driver operations.





Columbia Fire Department

www.columbiasc.net

To: Michael A. King
Assistant City Manager for Public Safety

From: Wm. Bradley Anderson *WBA*
Fire Chief

Date: 29 September 2009

Subject: **Request to Explore Option for Firefighters to Drive Ambulances**

In an effort to better support Richland County EMS in their service to the public, we would like to explore the possibility of providing Senior Firefighters and Engineers to drive ambulances from emergency scenes to hospitals during incidents in which two EMS employees are needed to work in the back of the ambulance. An overview of these employees' qualifications is provided below. We would agree to meet any additional RCEMS requirements that are within our budget constraints. With your approval, and in cooperation with RCEMS, we would like to proceed in this endeavor.

Current Minimum Qualifications Senior Firefighter

- Two years of continuous service in Department
- Commercial Driver's License
- Random drug testing
- Emergency Vehicle Driver Training (40-hour course)
- Check-off on two engines and a ladder truck
- 60 days of supervised non-emergency driving
- After promotion there is a six-month probationary period
- There are also fire-specific courses in the Senior Firefighter program including Pump Operations (40-hour course), Pump Troubleshooting (24 hours), Ladder Truck Operations (24 hours), operation of the rehabilitation truck, brush trucks and backing trailers (8 hours), training on incident reports and reporting mechanical problems (8 hours).

Current Minimum Qualifications Engineer

- Same as for Senior Firefighter, plus the following
- Five years of continuous service in the Department
- Two years in the rank of Senior Firefighter
- Written examination
- Structured oral Interview
- Practical exam in pumping and ladder operations
- A series of courses in an Engineers Candidate Program is being phased in for promotions in 2011.

I respectfully request the following approvals to implement this plan.

Michael A. King: _____
Assistant City Manager for Public Safety

Michael A. Byrd: _____
Director of Richland County Emergency Services

Steven A. Gantt: _____
Interim City Manager

J. Milton Pope: _____
Richland County Administrator

Item# 8

Richland County Council Request of Action

Subject

Accounting for the Last Two Years of the Richland County
Neighborhood Council [Pages 49-50]

Reviews



MEMORANDUM

TO: Richland County Development & Services Committee
THROUGH: Joe Kocy, Planning Director
FROM: Julie Wilkie, Comprehensive Planning Manager
DATE: October 13, 2009
RE: Update: Richland County Neighborhood Commission Financial

At the September 22, 2009 County Council meeting, the Development & Services Committee made a motion requesting an accounting of the last two years of the Richland County Neighborhood Council (RCNC).

Based on the above referenced motion, the Planning Department offers the following memo regarding money spent on the RCNC since July 1, 2007. This accounting covers FY 2008, FY 2009, and July – September of FY 2010.

In years past, the Neighborhood Improvement Program (NIP) has funded mailings for the RCNC, as well as other organizations and neighborhood groups throughout the County. However, NIP does not account for the costs of these mailings, nor are these mailings documented. Mass mailings for RCNC were eliminated in 2008 as the Department moved toward a more electronic form of communicating with neighborhoods throughout the County.

In August 2009, a mass mailing was initiated and funded by NIP to garner support for and attendance at meetings focused on adoption of the new bylaws, vision, and mission statement of the RCNC. Again, NIP does not keep records of the cost of paper, ink, and envelopes as it relates to mass mailings. Additionally, postage is a part of the Richland County Business Service Center's budget. They do not maintain records regarding the amount of postage or mailings per Department. Therefore, NIP cannot determine exactly how much postage has been used for mailings in the past. The table below offers miscellaneous expenditures, as well as an approximate on mailings for RCNC, based on *estimated* costs of paper, envelopes, and postage.

VENDOR/EXPENDITURE	AMOUNT	DATE
Ft. Jackson NWR (Banner)	\$59.00	6/5/2008
Joe Henry Company (pencils)	\$181.68	7/21/2008
Jimmy Johns (food)	\$37.29	8/18/2009
Food Lion (food)	\$8.45	8/18/2009
TOTAL MISC EXPENDITURES	\$286.42	N/A
6 Mailings (2,100 letters)	\$936.16*	July 2007 – June 2008
4 Mailings (1,400 letters)	\$624.11*	July 2008 – June 2009
1 Mailing (350 letters, 1,050 sheets)	\$160.78*	July 2009 – September 2009
TOTAL MAILING EXPENDITURES	\$1,721.05*	N/A
GRAND TOTAL	\$2,007.47	July 2007 – September 2009

*Amount for mailings includes paper, envelopes, & postage

RE: Richland County Neighborhood Council Members

Hi Randy,

Mr. Kocy, Planning Director, forwarded your question about the Neighborhood Council members to my attention. Based on my investigation of the organization, I have found no records of a formal membership for the Neighborhood Council. On average, they have about 10-15 citizens at their meetings. In fact, they have not recorded or implemented any formal procedures for distinguishing members of the organization for the past few years. The organization is currently working on this issue and will be adopting formal procedures to determine and distinguish membership and voting rights by January 2010.

Please let me know if you need additional information. Thanks!

Best regards,

Erica L. Hink

Neighborhood Improvement Program
Richland County Government
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Richland County Council Request of Action

Subject

Planning Commission Members and
Occupations [Page 52]

Reviews

The following information was requested at the September 22, 2009 D&S Committee Meeting.

Planning Commission Members & Occupations 2009

Christopher Anderson	Mortgage Broker
Elizabeth Ward	Realtor
Weston Furgess	School Volunteer
Julius Murray	Retired Military
Deas Manning	Real-estate Developer
David Tuttle	President, Lake Carolina, Developer/ Real-estate agent
Patrick Palmer	Commercial Real-estate Agent
Heather Cairns	Attorney, Family, Probate & Real-estate
Stephan Gilchrist	President, Gilchrist Rush Group, Public Policy Corporation