



# **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

**MARCH 23, 2010  
5:00 PM**

**2020 Hampton Street, Columbia, South Carolina**

### **CALL TO ORDER**

### **APPROVAL OF MINUTES**

1. Regular Session: February 23, 2010 [pages 4-6]

### **ADOPTION OF AGENDA**

### **ITEMS FOR ACTION**

2. Curfew for Community Safety [pages 8-9]
3. Farmers' Market [pages 11-15]
4. Funding for Alternative Paving [pages 17-20]

5. Organizationally place County Assessor under County Administrator [pages 22-24]
6. Property Owners should not be required to obtain permits for Cosmetic or Maintenance purposes including replacing roofs, etc. [pages 26-34]
7. Reexamination of Use of Road Maintenance Fee Funds [pages 36-40]
8. Removal of Parking Meters at County Administration Building [pages 42-44]

#### **ITEMS FOR DISCUSSION / INFORMATION**

9. Fire Department ISO ratings [page 46]
10. Review all Engineering and Architectural Drawing Requirements to make sure there is no unnecessary charge or expense to citizens [pages 48-51]

#### **ADJOURNMENT**



# Richland County Council Request of Action

## **Subject**

Regular Session: February 23, 2010 [pages 4-6]

## **Reviews**

**Richland County Council  
Development and Services Committee  
February 23, 2010  
5:00 PM**



*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.*

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**Members Present:**

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

Absent: Jim Manning

**Others Present:** Paul Livingston, L. Gregory Pearce, Jr., Kelvin Washington, Valerie Hutchinson, Joyce Dickerson, Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Larry Smith, Anna Almeida, Amelia Linder, Dale Welch, David Hoops, Donny Phipps, Stephany Snowden, Jennifer Dowden, Tamara King, Andy Metts, Daniel Driggers, John Cloyd, John Hixson, Monique Walters, Michelle Onley

**CALL TO ORDER**

The meeting was called to order at approximately 5:04 p.m.

**ELECTION OF CHAIR**

Mr. Malinowski moved, seconded by Mr. Jeter, to nominate Mr. Jackson. The vote in favor was unanimous.

**APPROVAL OF MINUTES**

**January 26, 2010 (Regular Session)** – Mr. Jeter moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

**ADOPTION OF AGENDA**

The agenda was unanimously adopted as distributed.

## ITEMS FOR ACTION

**Broad River Rowing Center** – Mr. Jeter 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.

**Curfew for Community Safety** – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item until additional information is received. The vote in favor was unanimous.

**Farmers' Market Motion** – Mr. Malinowski moved, seconded by Ms. Kennedy, to combine this item and the Farmers' Market: Pineview Property Follow-up item and defer them until after the joint resolutions. A discussion took place.

The vote in favor was unanimous.

**Farmers' Market: Pineview Property Follow-up** – This item was combined with the previous Farmers' Market item.

**Funding for Alternative Paving** – Mr. Malinowski moved, seconded by Mr. Jeter, to follow-up on the amount going to dirt roads and the number of roads residents would like to have paved before the moving forward with this item. The vote in favor was unanimous.

**Hopkins Community Water System** – Mr. Jeter moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation for approval.

**Organizationally place County Assessor under County Administrator** – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item to the March committee meeting. The vote in favor was unanimous.

**Property Owners should not be required to obtain permits for Cosmetic or Maintenance purposes including replacing roofs, etc.** – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item until the March committee meeting. The vote in favor was unanimous.

**Reexamination of Use of Road Maintenance Fee Funds** – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item until the March committee meeting. The vote in favor was unanimous.

**Removal of Parking Meters at County Administration Building** – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this item until the March committee meeting. The vote in favor was unanimous.

## ITEMS FOR DISCUSSION/INFORMATION

**Review all Engineering and Architectural Drawing Requirements to make sure there is no unnecessary charge or expense to citizens** – This item was retained in committee.

**ADJOURNMENT**

The meeting adjourned at approximately 6:03 p.m.

Submitted by,

Norman Jackson, Chair

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

**Subject**

Curfew for Community Safety [pages 8-9]

**Reviews**

## Richland County Council Request for Action

Subject: Curfew for Community Safety

### A. Purpose

This request is, per Mr. Manning's motion, to consider a curfew as a means of bringing citizens and government together in an effort to make our neighborhoods and communities safer.

### B. Background / Discussion

The adoption of a curfew would involve several hurdles, mostly constitutional, which would need to be overcome before implementation. In general, the County would have the authority to impose a curfew under its general police powers for the purpose of promoting the public welfare, security, health, and safety of its citizens; however, to pass constitutional muster, this general power must be applied in a very strict manner.

Some preliminary questions to be considered are:

- What specific behavior/problem is the curfew intended to correct?
- To whom would the curfew be applicable?
- Would the application of the curfew to this specific group alleviate the stated problem?
- How long would the curfew need to be in effect to alleviate the problem?
- Is there some other method for alleviating the problem which would be less intrusive on individual rights and freedoms?
- Can the curfew be fairly enforced by law enforcement?

Once these preliminary questions have been answered, then an ordinance must be drafted that is specifically tailored to correct the stated problem. In drafting the ordinance, special care should be taken to address potential constitutional issues inherent in a curfew: namely, First Amendment freedom of speech and assembly; Fourth Amendment unreasonable search and seizure; Ninth Amendment general personal rights; and Fourteenth Amendment due process and equal protection.

Depending on how the questions above are answered, it is likely that the County would have to show a compelling interest in enacting the curfew and that this was the least intrusive manner in which to alleviate the stated problem. At the very least, the curfew must be reasonably related to a legitimate government interest.

In summary, even though curfews have been upheld by the courts, stringent steps would need to be taken during the research, justification, drafting and enactment processes to avoid the myriad constitutional pitfalls inherent in any law which seeks to curtail the personal liberties and freedoms of citizens.



**C. Financial Impact**

None known.

**D. Alternatives**

- 1. Adopt a curfew.
- 2. Do not adopt a curfew.

**E. Recommendation**

Council discretion, keeping in mind, however, the legal consideration briefly outlined above.

Recommended by: Elizabeth A. McLean      Department: Legal      Date: 2/08/10

**F. Reviews**

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

**Finance**

Reviewed by Daniel Driggers:      Date: 2/09/10  
 Recommend Council approval       Recommend Council denial  
 Comments regarding recommendation: No recommendation based on ROA having no financial impact

**Legal**

Reviewed by: Larry Smith:      Date:  
 Recommend Council approval       Recommend Council denial  
 Comments regarding recommendation: No recommendation

**Administration**

Reviewed by: J. Milton Pope:      Date: 2-10-2010  
 Recommend Council approval       Recommend Council denial  
 Comments regarding recommendation: Council discretion however Sherriff's

Department input should be considered before policy action.

# Richland County Council Request of Action

## **Subject**

Farmers' Market [pages 11-15]

## **Reviews**

## Richland County Council Request of Action

**Subject:** Farmers' Market Motion

**A. Purpose**

Council is requested to consider the motion made at the February 2, 2010 Council Meeting, and direct staff as appropriate.

**B. Background / Discussion**

The following motion was made at the February 2, 2010 Council Meeting by Councilman Jackson:

**Explore utilizing the Shop Road/Pine View Road property (Farmers Market Land) with Public/Private partnership. After spending so much of the people's money, we should not let this property sit, grow weeds and become an eyesore. This is a perfect opportunity to invite potential businesses and entrepreneurs to come up with ideas and financing mechanism to fund and develop viable projects. We cannot afford to sit and wait and do nothing.**

It is at this time that staff is requesting direction from Council with regards to this motion.

Further, please note that the farmers' market settlement agreement between the State Department of Agriculture / State of South Carolina and Richland County is ongoing, as the Joint Resolution allowing the County to continue paying for the bonds used to purchase the property with hospitality tax fee money must still be approved this legislative session. Per our lobbyist, the Joint Resolution was introduced in the House of Representatives on Tuesday, February 2, 2010, and was referred to the Ways and Means Committee. Authors are Speaker Bobby Harrell (R); Reps. Jim Harrison (R), James Smith (D) and Todd Rutherford (D) of Richland County; and Reps. Jay Lucas (R) and Jim Battle (D), the chair and ranking member respectively of the Ways and Means subcommittee that has jurisdiction over SCRA.

**C. Financial Impact**

There is no financial impact associated with this request at this time, as further information and direction from Council will need to be obtained before a financial impact can be determined.

**D. Alternatives**

1. Approve the motion and direct staff as appropriate.
  
2. Do not approve the motion.

**E. Recommendation**

Council discretion.

**F. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 2/09/10

Recommend Approval

Recommend Denial

No Recommendation

Comments: Council discretion

**Legal**

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments: Council discretion

**Administration**

Reviewed by: J. Milton Pope

Date: 2-9-2010

Recommend Approval

Recommend Denial

No Recommendation

Comments: Council discretion

## Richland County Council Request of Action

**Subject:** Farmers' Market: Pineview Property Follow-Up

### A. Purpose

County Council is requested to provide direction to staff with regards to the Pineview Property.

### B. Background / Discussion

The following occurred at the November 24, 2009 D&S Committee Meeting:

Pineview Property Follow up – The committee recommended that this item be moved to the December Committee meeting as an action item. Staff is to gather information on regional markets legislation / appropriations. Mr. Jackson stated that he has information, including sketches, that he will provide to staff.

The following information was obtained from the South Carolina Association of Counties regarding the regional markets legislation / appropriations.

**From:** Josh Rhodes [mailto:Josh@scac.state.sc.us]  
**Sent:** Wednesday, December 02, 2009 2:31 PM  
**To:** Randy Cherry  
**Subject:** Regional Farmers' Market

Mr. Cherry,

Yesterday you called asking whether the state has made appropriations to regional farmer's markets, more specifically Richland County's. **The state has not made any such appropriation to the regional farmer's markets directly or through the Department of Agriculture.** In fiscal year 2006, the state appropriated funds, including \$15 million in Capital Reserve Funds, for the relocation of the state farmers' market. The relocation was originally going to be within Richland County but in 2008, the legislature passed a resolution authorizing the relocation to be in Lexington County. In that resolution, which is attached, the state allowed the Department of Agriculture to use the \$15 million for the relocation to Lexington County. The Department, through a public-private agreement, had enough capital to cover the cost of the relocation so they proposed to the legislature that the \$15 million be used to aid regional farmers' markets. In that same year the state saw severe revenue reductions so they recommitted the \$15 million to the state general fund and did not move forward with the Department's proposal. This was the only proposal to make state appropriations to regional farmers' markets, including Richland County's, and no such appropriations have been made. I hope this helps and please let me know if I can be of any further assistance.

[http://www.scstatehouse.gov/sess117\\_2007-2008/bills/1066.htm](http://www.scstatehouse.gov/sess117_2007-2008/bills/1066.htm)

Thanks,  
Joshua C. Rhodes  
Staff Attorney

Item# 3

Attachment number 2  
Page 1 of 3

SC Association of Counties  
1919 Thurmond Mall  
PO BOX 8207  
Columbia, SC 29202  
803.252.7255 voice  
803.252.0379 fax  
800.922.6081 toll-free  
josh@scac.state.sc.us  
www.sccounties.org

At the **December 22, 2009 D&S Committee Meeting**, the D&S Committee recommended that staff obtain cost figures and sketches regarding a Farmer's Market on the Pineview Property.

At the **January 5, 2010 Council Meeting**, Council deferred the item to the January 19, 2010 Council Meeting.

At the **January 19, 2010 Council Meeting**, Council rescinded the following action that was approved at the November 3, 2009 Council meeting: "Council voted to suspend consideration of using public funds to invest in a Richland County farmers' market, and to work with current local markets in promotional activities." This item was then forwarded to the February Development and Services Committee.

Therefore, it is at this time that staff requests direction from Council regarding this item.

**C. Financial Impact**

Uncertain, as staff needs direction from Council regarding this item.

**D. Alternatives**

1. Pursue the development of a farmers' market at the Pineview Property. Provide clarification and direction to staff.
2. Do not pursue the development of a farmers' market at the Pineview Property.

**E. Recommendation**

It is recommended that Council provide direction to staff regarding this item.

Recommended by: J. Milton Pope      Date: February 10, 2010

**F. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 2/10/10

Recommend Council approval

Recommend Council denial

✓ No recommendation

Comments regarding recommendation:

**Legal**

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

No recommendation

Comments regarding recommendation:

**Administration**

Reviewed by: J. Milton Pope

Date: 2-10-2010

Recommend Council approval

Re-commend Council denial-

No recommendation

Comments regarding recommendation: Committee/Council discretion...

# Richland County Council Request of Action

**Subject**

Funding for Alternative Paving [pages 17-20]

**Reviews**





## **RICHLAND COUNTY**

**Department of Public Works**

**C. Laney Talbert Center**

**400 Powell Road**

**Columbia, South Carolina 29203**

**Voice: (803) 576-2400 Facsimile (803) 576-2499**

<http://www.richlandonline.com/departments/publicworks/index.asp>



## **MEMO**

To: Sparty Hammett, Assistant County Administrator

From: David Hoops, Director

Re: Alternative Dirt Road Paving

Date: February 17, 2010

Due to Public Works limited capacity to study the alternative dirt road paving issue, our previous reports have been disjointed and spread over a period of time. We felt it is important to combine and summarize the previous work. The following is a history of information provided regarding alternative dirt road paving:

- Public Works indicated in a July, 2009 report, that the County has a total of 27.5 miles of dirt roads with deeded right of way.
- These roads were analyzed for conformance to the Low Volume Traffic criteria.
- A total of 17 miles did not meet the criteria and an additional 1.3 miles are presently funded for improvement.
- As a result, we have 9.2 miles of dirt roads that have deeded right of way which meet conformance to the Low Volume Paving Criteria.
- The preliminary estimated cost for paving these 9.2 miles is approximately \$3.6 million.
- Public Works in conjunction with Administration recommended that we proceed with paving these roads as Phase I of the alternative dirt road paving project. The \$3.6 million cost could be funded through the Roads and Drainage fund balance.

Item# 4

Attachment number 1  
Page 1 of 4

Funding options were provided for funding \$30 million and \$67 million for Phase II of the dirt road paving project.

- Phase II would run on a parallel track and involve an analysis of the remaining dirt roads (the largest category of which is 169 miles of roads with prescriptive easements). The following steps would be needed to determine the estimated cost of paving the remaining roads:
  - Determine whether the roads meet the Low Volume Traffic criteria.
  - All owners of property fronting on a road proposed for improvement would be notified by registered mail. If 25% of those owners object, by a procedure described in the notice, the road would be removed from the improvement program.
  - For the roads that meet the Low Volume Traffic criteria and the required percentage of owners agree with paving, staff would go through the process of obtaining the right of way.
  
- Public Works began the Phase II process of evaluating all of the remaining dirt roads with partial right of way and prescriptive easements in August of 2009.
  
- Public Works completed the initial Phase II analysis of all dirt roads without complete dedicated public right of way for conformance to the Low Traffic Volume Regulations in November of 2009. If Council authorizes proceeding with the process, the next steps will include a site assessment and notification of property owners.
  
- The initial analysis of all remaining dirt roads indicated that 68.67 additional miles would qualify for Alternative Paving with a total estimated cost of approximately \$26.1 million. The following is a break-down by Council District: District 1 – 12.18 miles; District 2 – 11.76 miles; District 3 - .32 miles; District 4 - .03 miles; District 5 - .72 miles; District 6 - .08 miles; District 7 – 9.15 miles; District 8 – 1.11 miles; District 9 – 3.32 miles; District 10 – 22.68 miles; and District 11 – 7.32 miles.

The following is an estimated cost summary for alternative dirt road paving.

## I. ALTERNATIVE DIRT ROAD PAVING SUMMARY

LTV qualified roads with existing right of way (July, 2009 report)	9.2 miles	\$3,579,000
LTV qualified roads with incomplete right of way or prescriptive easements ( November, 2009)	68.7 miles	\$26, 106,000
<b>TOTALS</b>	<b>77.9 miles</b>	<b>\$29,685,000</b>

Note: All LTV costs are based upon Geometrics report, 2008 (with an added cost factor for contingencies)

## II. DIRT ROAD MAINTENANCE

Public Works does not utilize an accounting/recording system that allows us to accurately track our utilization of manpower and equipment. For that reason we can only respond to the request for the cost of dirt road maintenance with our best estimate for time expended for that activity. It is also difficult for our staff to differentiate roadway versus drainage related work in some situations. We have taken the two following approaches to answer your question:

1. In the first approach the budget for Roads and Drainage (R&D) was reduced by funds not expended for maintenance activities. That amount, \$4,368,352 was then multiplied by the weighted percentage that the field supervisors estimated their crews spent on dirt road maintenance (59%). **The annual estimated cost of dirt road maintenance per this method is \$2,577,328.** Included in this cost it the maintenance of roadside drainage. By using the total budget as a starting point this method does include depreciation of equipment, equipment maintenance and fuel costs, lost time, overhead and all labor costs. Not included in this estimate are administrative costs of management, HR and safety coordinator. This estimate equates to an average cost of **\$ 10,000** per mile.
2. In this second approach the cost of equipment (with operator) was taken from standard equipment rental rates. Rock used on the roads for stabilization was taken from purchase records. **The annual cost of dirt road maintenance per the second method is \$564,892.** This method **does not** include roadway associated drainage maintenance, equipment depreciation, overhead, labor benefits and administrative costs and assumes full productivity. A multiplier of no less than 3 should be applied to this calculation to cover lost productivity and over head, resulting in an average per mile cost of **\$7,000.**

## Alternative Paving Plan

\* All numbers are estimates based on available information and are subject to change

Current funding sources	c-funds(1)	current Road Maintenance fee(2)	Annual Total (a)	Road Maintenance - fund balance(3)
Annual funding available	500,000	500,000	1,000,000	
One-time funds available				4,400,000

- 1 Current county allocation of c-funds is approximately \$1m annually. Estimate includes the dedication of \$300k annually to be diverted to the Alternative Paving Project without having a negative effect to on-going maintenance
- 2 Estimates include the dedication of \$500k for the Alternative Paving Plan of the current road maintenance fee which generates approximately \$5m annually
- 3 Estimate includes the use of all current undesignated fund balance in the road maintenance fund

	Proposed project cost	est annual debt service(b)	annual available - current sources(a)	additional annual funding needed	Funding Options					
					Additional R/M Fee	Property Tax mills	Homeowner Contribution	Use of fund balance	Sales Tax	
Option 1	67,000,000	5,100,000	1,000,000	4,100,000	16	2.9	undetermined	na	na	
Option 2	30,000,000	2,300,000	1,000,000	1,300,000	5	0.9	undetermined	na	na	
Option 3	3,600,000	300,000	1,000,000	na	na	na	na	3,600,000	na	

<sup>b</sup> Debt Service estimate based on 20-year bonds due to life expectancy of road surface

# Richland County Council Request of Action

**Subject**

Organizationally place County Assessor under County Administrator [pages 22-24]

**Reviews**

## Richland County Council Request for Action

Subject: Organizationally place the County Assessor and County Assessor's Office under the County Administrator

### A. Purpose

This request is, per Mr. Manning's motion, to organizationally place the County Assessor and the County Assessor's office under the County Administrator.

### B. Background / Discussion

During the Motion Period of the February 2, 2010, County Council meeting, Mr. Manning made a request to, by ordinance, organizationally place the County Assessor and the County Assessor's Office under the County Administrator.

The County Assessor and the County Assessor's Office were first created by Act No. 952 of 1958, South Carolina Statutes-at-Large (1958, p. 1972). This Act established the Richland County Board of Assessment Control whose duties included establishing the methods, policies, rules, and regulations for the "fair and equitable assessment of all taxable property within School District No. 1 of Richland County." The Act authorized the Board to employ a tax assessor and to provide for a tax assessor's office. In 1963, the Act was amended to make it applicable to all taxable property within Richland County. Section 12-37-90 of the South Carolina Code of Laws sets out the responsibilities and duties of the assessor and assessor's office.

Chapter 23, Article 2, of the County Code of Ordinances essentially restates the State law as it relates to the tax assessor. Section 23-19 reads as follows:

Employed by board of assessment control compensation; assistants.

There shall be a tax assessor for the county, who shall be employed by the county board of assessment control. The tax assessor shall receive such compensation as the county board of assessment control shall determine. The tax assessor shall select such other personnel to assist him in his duties as shall be authorized by the county board of assessment control.

Mr. Manning's motion attempts to alter the method by which the assessor is hired, placing such control under the County Administrator. As the Board of Assessment Control and the Assessor is statutorily created by local legislation, I am unaware of any manner that the method of employment could be altered by a county ordinance; such amendment would have to be done at a State level. Act No. 952 (1958) and Act No. 355 (1963), that originally provided that the Assessor would be employed by the Board of Assessment Control would have to be repealed. If the Acts were repealed with the help of the Legislative Delegation and the legislature, then that might address the issue.

To muddy the waters further, there exists a case, *Davis v. Richland County Council et al.*, 642 S.E.2d 740 (2007), that seems to call into question the legality of any special legislation at all. However, since this specific special legislation at hand in the present case has not been overturned, I'm not sure that we can legally act in opposition to it.

In conclusion, given the differing sources of authority cited above, special legislation, statutes codified in the S.C. Code of Laws, and County ordinances, I have been unable to locate any authority for the Council to, by ordinance, allow for the Assessor to be hired/fired by the County Administrator. While there are many other counties that have, by ordinance, placed the assessor under the county administrator, these counties, unfortunately, are not helpful in our current situation as their special legislation is different or has been repealed altogether. If the county desires to place the assessor under the county administrator, there are two ways to proceed that would unravel the quagmire of legislation and authority now before us:

1. Request the Richland County Legislative Delegation introduce legislation that would repeal the special legislation. This method has been used successfully before by Charleston County, whose special legislation was repealed in 1995.

2. File a declaratory judgment action to have the special legislation declared unconstitutional. The *Davis* case cited above leads one to believe that this method would be successful.

**C. Financial Impact**

No known financial impact.

**D. Alternatives**

1. Request the Richland County Legislative Delegation introduce legislation that would repeal the special legislation.
2. File a declaratory judgment action to have the special legislation declared unconstitutional.
3. Do neither and/or proceed with some other plan of action.

**E. Recommendation**

Council discretion, keeping in mind the above legal guidance.

Recommended by: Elizabeth A. McLean      Department: Legal      Date: 2/10/10

**F. Reviews**

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

**Finance**

Reviewed by Daniel Driggers:

Date: 2/12/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Based on the ROA there is no financial impact however this is a policy decision for Council.

**Legal**

Reviewed by: Larry Smith:

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: If the Council is interested in pursuing Mr. Manning's motion to place the Assessor and the Assessor's Office under the Administrator a declaratory judgment action could be filed, requesting that the court declare the current law to be unconstitutional.

**Administration**

Reviewed by: J. Milton Pope:

Date: 2-12-10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Committee/Council discretion...



# Richland County Council Request of Action

## **Subject**

Property Owners should not be required to obtain permits for Cosmetic or Maintenance purposes including replacing roofs, etc. [pages 26-34]

## **Reviews**

## Richland County Council Request for Action

Subject: Eliminating the requirement of obtaining a building permit for roofing, siding, and replacement of window & exterior doors.

### **A. Purpose**

County Council is requested to consider an Ordinance that would delete the requirement of obtaining a building permit for cosmetic or maintenance purposes.

### **B. Background / Discussion**

On December 15, 2009, a motion was made by the Honorable Norman Jackson, as follows:

“I move that property owners should not be required to obtain permits for cosmetic or maintenance purposes, including replacing roofs, siding, windows, doors, painting, etc.”

The motion further stated, “The IRC was not specific and because it is not a structural problem, permits should not be required.”

County Council forwarded this motion to the January D&S Committee for consideration and recommendation.

A copy of the proposed ordinance is attached for Council’s consideration.

### **C. Financial Impact**

Loss of revenue for non-permitted work.

### **D. Alternatives**

1. Approve the ordinance eliminating building permits for cosmetic or maintenance purposes, including replacing roofs, sidings, windows, doors, painting, etc.
2. Do not approve the ordinance and continue with current requirements for no permit as allowed by the code for maintenance except where provided for building protection and life safety.

### **E. Recommendation**

This request is at Council’s discretion.

Recommended by: Honorable Norman Jackson

Date: December 15, 2009

## F. Approvals

### Finance

Reviewed by Daniel Driggers:

Date: 1/14/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision at council's discretion. Based on section c there would be a loss of revenue but no amount is stated. Therefore I would recommend that a financial impact be developed based on prior year activity prior to finalizing a decision.

### Building and Inspections

Reviewed by: Donny Phipps

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

A list for exempt work that does not require a permit is already provided by the 2006 IRC, International Residential Code for maintenance items. Per this list, roofing, siding, windows or doors are not excluded from code compliance or inspection. These are a part of the code for protection of the structure's thermal envelope as well as protecting the framing and sheathing which are integral parts of the structure. Their proper installation is critical. Windows and doors are important components of the life, safety requirements of the Residential Building Codes. They are also vital in achieving compliance to the International Energy Conservation Code adopted by South Carolina. We are required by the State to inspect for compliance. To remove these items from permitting could cause a problem of customer service and protection, not only from the codes, but the department not being able to help the homeowner when contractors that are not licensed or qualified with Richland County or the State to perform the work we would not be able to hold them responsible. The requirement for permits, allows us to take action when one does not pull permits and/or when work is not performed in compliance with building codes. The requirements for installation to manufacture specifications are then left to that of the homeowner and that the work is in compliance with residential building codes. The IRC code has several chapters dedicated to roofing and siding installation. Windows and doors are covered under egress requirements for life safety and energy code requirements.

Richland County Department of Building Codes and Inspections is required to enforce code items for construction for the protection of property and life. Removing this requirement puts that responsibility back on the homeowner. Please keep the permitting process as it is to help protect the consumer.

Summarized below are the cosmetic, maintenance and etc. work that is exempt from permit requirements in the 2006 IRC or inspection, and to expand on this list is not needed.

- One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
- Fences not over 6 feet high.
- Retaining walls that are not over 4 feet in height.
- Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- Sidewalks and driveways.
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- Prefabricated swimming pools that are less than 24 inches deep.
- Swings and other playground equipment.
- Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

- Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- Portable heating, cooking or clothes drying appliances.
- Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
- Portable heating appliances.
- Portable ventilation appliances.
- Portable cooling units.
- Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- Portable evaporative coolers.
- Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
- Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
- The stopping of leaks in drains, water, soil, waste or vent pipe.
- The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets.
- Ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- The installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

### Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion

### Administration

Reviewed by: Tony McDonald

Date: 1/20/10

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The existing list of exemptions from building permits is quite extensive, as is indicated above. It is recommended that this list not be expanded at this time due to the reasons clearly outlined by the County's Building Official.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE II, ADMINISTRATION; DIVISION 3, PERMITS, INSPECTION AND CERTIFICATE OF APPROVAL; SECTION 6-43, PERMITS REQUIRED/EXCEPTION; SO AS TO NOT REQUIRE PERMITS FOR COSMETIC OR MAINTENANCE PURPOSES AS LISTED BY THE 2006 INTERNATIONAL RESIDENTIAL CODE.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-43; Permits Required/Exception; Subsection (a); is hereby amended to read as follows:

(a) No person shall construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure, or installation of electrical, gas, or plumbing equipment or other apparatus regulated by this chapter without first obtaining from the building official a separate permit for each such building, structure, or installation. One (1) copy of the required permit shall be forwarded to the county assessor within ten (10) days after issuance. A building, structure, or installation may contain one or more units. Provided, however, no permit shall be required for cosmetic or maintenance purposes as listed by the 2006 International Residential Code, including, but not limited to, replacing roofs, sidings, windows, and doors.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2010.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2010

\_\_\_\_\_

Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

---

Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

**From:** Donny Phipps  
**Sent:** Wednesday, January 27, 2010 9:30 AM  
**To:** Sparty Hammett  
**Cc:** Randy Cherry  
**Subject:** FW: work exempt from permits per 2006 IRC

[Information requested by D&S Committee:](#)

The following is a list of work that is exempt from permits per the 2006 International Residential Code, (IRC):

**R105.2 Work exempt from permit.**

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

**Electrical:**

**Repairs and maintenance:** A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**R105.2.1 Emergency repairs.**

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

**RI 05.2.2 Repairs.**

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

2006 International Residential Code® for One- and Two-family Dwellings / Part I

**RI 05.2.3 Public service agencies.**

A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.



<u>Jurisdiction</u>	<u>Results</u>	<u>Building Official</u>	<u>Contact Info.</u>
<b>Anderson County</b>	Roofing	No	<b>Barry Holcombe</b>  <b>864 260 4158</b>
	Roofing (shingles only)	No	
	Roofing (shingles w/repair)	No	
	Door Replacements	No	
	Window Replacements	No	
	Vinyl Siding	No	
<b>Charleston County</b>	Roofing	Yes*	<b>Carl Simmons</b>  <b>843 202 6930</b>
	Roofing (shingles only)	Yes*	
	Roofing (shingles w/repair)	Yes*	
	Door Replacements	Yes*	
	Window Replacements	Yes*	
	Vinyl Siding	Yes*	
<i>*(permit price is based on project cost)</i>			
<b>City of Columbia</b>	Roofing	Yes*	<b>Jerry Thompson</b>  <b>803 545 3420</b>
	Roofing (shingles only)	Yes*	
	Roofing (shingles w/repair)	Yes*	
	Door Replacements	Yes*	
	Window Replacements	Yes*	
	Vinyl Siding	Yes*	
<i>*(permit price is based on project cost)</i>			
<b>Greenville County</b>	Roofing ( <i>flat fee \$45.00</i> )	Yes	<b>John McLeod</b>  <b>864 467 7060</b>
	Door Replacements	No**^	
	Window Replacements	No**^	
	Vinyl Siding	No**^	
	<i>*(unless wood needs replacing)</i>		
<i>^(permit price is based on project cost)</i>			
<b>Horry County</b>	Roofing	Yes*	<b>David Jacobs</b>  <b>843 915 5090</b>
	Roofing (shingles only)	No	
	Roofing (shingles w/repair)	Yes*	
	Door Replacements	Yes*	
	Window Replacements	Yes*	
	Vinyl Siding	Yes*	
<i>*(permit price is based on project cost)</i>			
<b>Lexington County</b>	Roofing	No	<b>Michael Moore</b>  <b>803 785 8130</b>
	Roofing (shingles only)	No	
	Roofing (shingles w/repair)	No	
	Door Replacements	No	
	Window Replacements	No	
	Vinyl Siding	No	
<b>Spartanburg Cty.</b>	Roofing	Yes*	<b>Mike Padgett</b>  <b>864 596 2656</b>
	Roofing (shingles only)	No	
	Roofing (shingles w/repair)	Yes*	
	Door Replacements	No	
	Window Replacements	No	
	Vinyl Siding	No	
<i>*(permit price is based on project cost)</i>			

**From:** Gary Wiggins [mailto:WIGGINSG@llr.sc.gov]  
**Sent:** Tuesday, February 09, 2010 3:21 PM  
**To:** JOE WEBB  
**Subject:** RE: inspections question

Joe,

In my opinion, your opinion is correct. The types of permits issued and the type and number of inspections made on a project, however, are administrative in nature and governed at the local level. If you anticipate friction in the field, Donnie may want to have the permit and inspection of those systems included in the Building Inspection Department's Administrative Ordinance.  
G.

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**From:** JOE WEBB [mailto:WEBB@rcgov.us]  
**Sent:** Tuesday, February 09, 2010 9:42 AM  
**To:** Gary Wiggins  
**Cc:** Sparty Hammett; Donny Phipps  
**Subject:** inspections question

Good morning, Mr. Wiggins. Donny asked me to write you with a question for your opinion regarding required inspections. Locally, there is a question as to inspection requirements for re-roofing, application of siding or replacement of siding, replacement of windows and doors. The inspections department is of the opinion these items would require a permit and inspection, as they are included in the 2006 International Residential Code. Since these items deal with protecting the structure from the elements, and in the case of windows and doors, may also involve the required exits and emergency exits, we believe they would need to be inspected for code compliance. Would you consider giving your opinion as to whether or not re-roofing, siding, windows and door replacement would require inspections? Thank you,

J. E. Webb, CBO  
Richland County  
Building Inspections  
Deputy Director /  
Building Official

# Richland County Council Request of Action

**Subject**

Reexamination of Use of Road Maintenance Fee Funds [pages 36-40]

**Reviews**



## RICHLAND COUNTY

Department of Public Works

C. Laney Talbert Center

400 Powell Road

Columbia, South Carolina 29203

Voice: (803) 576-2400 Facsimile (803) 576-2499

<http://www.richlandonline.com/departments/publicworks/index.asp>



### MEMO

To: Sparty Hammett, Assistant County Administrator

Fr: David Hoops, Director

Re: Reexamination of Use of Road Maintenance Fee Funds

Date: February 17, 2010

Recent proposals regarding funding of dirt road paving include reducing the budget of the Roads and Drainage Division of Public Works by \$2 million to cover debt service of the construction. Any reduction greater than \$500,000 would result in reduced staffing, reduced response time to Roads and Drainage service requests related to both paved and dirt roads, and decreased ability to adequately maintain existing paved roads. Richland County currently has a total of 547 miles of paved roads. A significant percentage of these roads are currently in the need of either preventive maintenance or resurfacing. I have attached a 2-page article which addresses preventive maintenance strategies which could be used in-house to provide more lane-mile-years of life for Richland County's paved roads.

I would like to bring to attention the many important roadway projects, and the expanded pavement maintenance program that I see as necessary to efficiently maintain our existing pavement system.

- I. The following are the present projects that we are addressing, these are typical of the unplanned needs that we respond to with the special projects funds:
  - a. Old Garners Ferry Bridge repair – This bridge was identified as deficient by the SCDOT 2008 bridge inspection program. The recommendation at that time was to reduce load limits, the recommendation from the 2009 inspection was to close to traffic until repairs can be made. Engineering is completed and we are preparing to bid the project. Total estimated cost is **\$130,000**.
  - b. Hobart Road railroad crossing realignment – This project was started by area developers and the new alignment right of way has been dedicated. The present crossing is unprotected. The plan includes improved geometrics and a signalized

crossing. Preliminary engineering is completed. Total estimated cost is **\$400,000.**

- c. Shadywood Lane – This is the road that accesses the Broad River WWTP. This project will improve Shadywood Lane from a dirt road to a heavy duty paved road. Engineering is 50% complete. Total estimated cost is **\$500,000.**
  - d. Taylor Chapel Lane – This project has become necessary due to waterline and booster station construction by the City of Columbia. It was determined by the City’s Engineering for their improvements that the existing dirt road is not fully within the existing right of way and an existing culvert under the road is under capacity and floods regularly, flooding the booster station site. Preliminary engineering has been provided by the City, final engineering and construction are being scheduled. Total estimated cost **\$100,000.**
  - e. Mount Valley Road – This is a dirt road on a prescriptive easement. Construction of a waterline by the City of Columbia alongside this road has exposed traffic to dangerous open culvert crossings. The existing culverts will be checked for capacity and extended or replaced as needed. PW is anticipating performing this work in-house. The estimated cost of materials is **\$ 50,000.**
  - f. Forest Acres – A deteriorating bridge was reported to Public Works from the 2009 SCDOT bridge inspections and has been posted for reduced load limits. SCDOT’s recommendations include closing this bridge if repairs are not made by the next inspection cycle (one year). This bridge is covered under an Intergovernmental Agreement and we are investigating Richland County’s responsibility under that agreement. No costs are known at this time.
  - g. Forest Acres – A failing retaining wall on a major water course passing under Juarez Court had been brought to our attention. This situation is also under the IGA as discussed above and is being investigated. No costs are known at this time.
- II. The present funding for paved road materials is \$100,000 per year. These materials are typically used for temporary repairs. The future plan for in-house pavement is to perform permanent pavement repairs that will have as a minimum, a life span equal to the surrounding pavement. This change will require the purchase of specialized equipment, and will at least double the annual materials cost. The benefit achieved by this change will be savings at least double the expenditures when these permanent repairs do not have to be performed by contractors, and most importantly a more timely response to citizen’s complaints.

The above are recent issues that Public Works is responding to. They all involve roadway conditions and are appropriate for funding from the Roads and Drainage budget. In addition to these unplanned expenditures, the Engineering Division has been prepared for a second round of full depth pavement repairs. With the limited availability of “C” funds and time span between

contracts, we believe it is very important to maintain an ongoing pavement repair program and establish a preventive maintenance program for paved roads. A \$2 million reduction of Roads and Drainage funding could jeopardize these projects and programs.

# Prioritizing Prevention Practices

## The Triple Crown of Pavement Preservation: Right Treatment. Right Road. Right Time.

by Daniel Brown

For several years now, pavement preservation techniques have been making steady progress in states across the country. "Pavement preservation has become a household word," says Mike Krissoff, executive director of the International Slurry Surfacing Association. Indeed, the road manager and the contractor have an abundance of maintenance tolls from which to choose.

For the road manager, experts put it simply: use the right treatment on the right road at the right time. If an agency can take money from its budget for reconstruction, and use that money instead for preventive maintenance, those dollars will provide more lane-mile-years of life – dollar-for-dollar – than money spent on "worst-first" fixes.

This article will take a closer look at several preventive maintenance techniques:

- Fog seals
- Crack sealing and crack filling
- Chip seals
- Slurry seals (see sidebar)
- Micro Surfacing
- Thin asphalt overlays

Fog seals are inexpensive treatments that typically involve spreading a diluted asphalt emulsion on the roadway. No aggregate is added. Normally an emulsion is about 35 percent water. With a fog seal, that emulsion is diluted even further, by about 50 percent, says Chuck Ingram, sales manager for Slurry Pavers Inc., a contractor based in Glen Allen, VA.

The purpose of a fog seal is to seal the pavement, inhibit raveling and enrich the hardened, oxidized asphalt. Upgrades to polymer-modified fog seals are available. "And in the fog seal family there can be rejuvenators that penetrate into the asphalt and add life," says Ingram. He says the typical life of a fog seal is one to two years, depending on traffic and climate.

Crack filling should only be used on non-working cracks, says Ingram. Non-working cracks are age related, and usually no routing is needed. Crack sealing can be used on working or thermal cracks. With crack sealing,

it is recommended to rout the crack before applying the sealant. "That way you can get a consistent width and depth of the crack, so that the sealant will expand and contract evenly in the crack," says Ingram. "You can dictate what the climatic effect is."

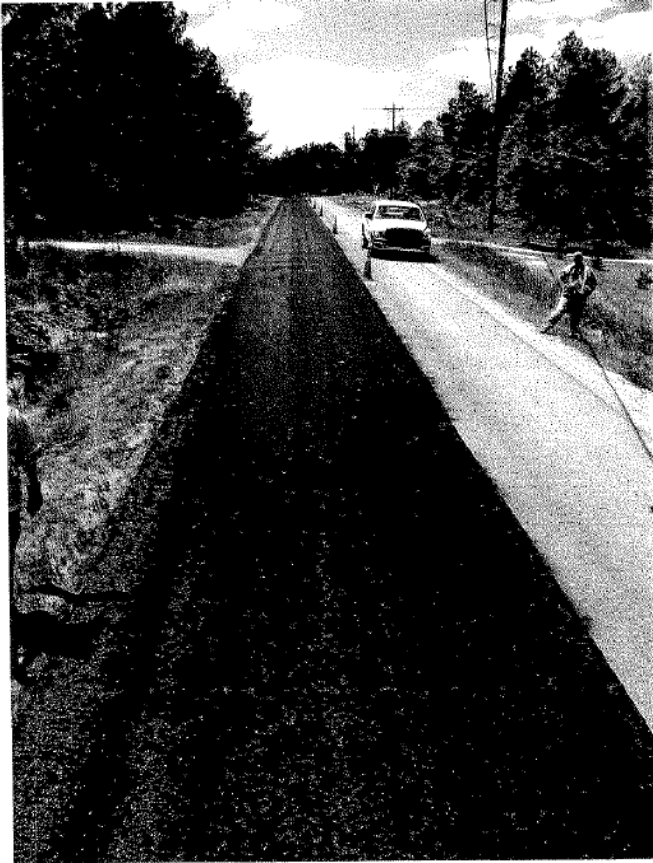
It's important to clean out cracks before applying sealant. If the crack is not clean and dry, the sealant will not bond to the substrate. Cimline Inc., a manufacturer of hot crack sealing equipment, publishes a 40-page booklet called the Guide to Crack Sealing, which is an excellent reference on the subject (go to [www.cimline.com](http://www.cimline.com)).

The Strategic Highway Research Program recommends that cracks be treated with a heat lance, or hot air lance, before sealant installation. Hot air lances are designed to mix propane and compressed air to produce hot air. Depending on the manufacturer, heat lances output flames or flame-free heat. These devices generate upwards of 2,000 deg. F. to remove moisture and provide additional cleaning.

"There are some good cold-applied sealants and some good hot ones," says Ingram. "For performance, the hot-applied sealants are proven to outperform the cold-applied sealants." He puts the basic cost of crack sealing at \$0.50 per linear foot – and the added life at four years.

A chip seal is the uniform application of asphalt binder to a prepared surface followed by the application of a cover aggregate that is seated by a roller. Chips seals apply to





sound pavement, usually to more rural routes. A chip seal is ideal for pavements with the loss of surface texture.

Chips seals seal pavement from water intrusion, improve surface friction, create a durable wearing course, and upgrade non-paved roads. Chips seals can be applied in multiple layers, Ingram points out. If you do that, the coarser aggregate goes down first. Years ago, Ingram says he recalls the state of North Carolina placing a 1-inch rock, followed by a 3/8-inch stone to fill in the gaps.

He says polymerized emulsions in recent years "have gone a long ways toward improving the performance of chips seals." Polymers help hold the rock in place; surface raveling is reduced. "The typical life of a chip seal is five to seven years, and with multiple applications they can last 10 years," says Ingram. "Chips seals are one of the most cost-effective preventive maintenance treatments."

Slurry surfacing systems include slurry seals and micro-surfacing. Typically a slurry seal is a blend of crushed

aggregate and asphalt emulsion, mixed together in a pugmill attached to the back of a truck. Slurry seals offer no structural value, but they can extend the life of a pavement by five to seven years.

Micro-surfacing is similar to slurry sealing, except micro-surfacing typically uses a polymer-modified emulsion and is applied to higher-volume roads such as urban arterials. Slurry seals are for lower-volume roads. "When people ask me what the breakpoint is between the two treatments, I tell them it's ten to fifteen thousand cars per day," says Ingram. "But that's only a round number, not a hard-and-fast rule."

With micro-surfacing, you can place multiple lifts; you can level out consolidation rutting. "It's important to determine the cause and type of rut that you're attempting to level," says Ingram. "A consolidation rut or rutting from the top down with no base or subbase failure can be effectively leveled with micro-surfacing. Plastic deformation such as shoving and rutting at intersections, are not good rut-filling candidates for micro-surfacing. There is too much movement for the micro-surfacing to be an effective tool."

Micro-surfacing can allow traffic back onto the pavement within an hour, says Vic Gawith, a salesman for Bergkamp Inc., an equipment manufacturer. "Once the chemical reaction starts, the water is

being pushed out and the emulsion sucks in around the aggregate," says Gawith. "You may want to add a retarder so that the material doesn't break (set up) in the machine or in the spreader."

Thin asphalt overlays can be used on any pavement with minor distresses such as raveling or very light cracking, says Dave Newcomb, vice president of research and technology for the National Asphalt Pavement Association. For overlays of 1.5 inches thick, one uses 3/8-inch topsize aggregate; for overlays of 1 inch thick you use quarter-inch aggregate.

Thin overlays bring some structural benefit, Newcomb says; they also restore ride quality and skid resistance, and they can be used to quiet a noisy pavement. Thin overlays don't require much adjustment in terms of grade corrections — you can mill the pavement lightly at the curb and feather the overlay into the curb. A thin overlay will typically last 10 to 15 years, Newcomb says.



# Richland County Council Request of Action

**Subject**

Removal of Parking Meters at County Administration Building [pages 42-44]

**Reviews**

## **Richland County Council Request of Action**

**Subject:** Removal of Parking Meters at County Administration Building

### **A. Purpose**

The purpose of this report is to request the County Council's consideration of a recent motion by Council Member Norman Jackson to have the parking meters at 2020 Hampton Street removed.

### **B. Background / Discussion**

At the Council Meeting of January 19, 2010, Council Member Norman Jackson introduced a motion to have the parking meters removed from the County Administration Building, including the meters on the street around the building if the County has the proper jurisdiction over those meters.

For background purposes, the majority of the meters were installed in 2008 as an alternative means of controlling parking, and thereby ensuring adequate parking space for the public, at 2020 Hampton Street. Meters had previously been installed at the parking spaces immediately adjacent to the building. Prior to the meters, access to the parking lot was controlled by the Sheriff's Department by way of an employee stationed in the parking booth at the lot's entrance. Citizens had to pay, upon leaving the lot, twenty-five cents for every half hour parked. Logistical problems, including the cost to pay the employee stationed in the booth and the schedule for having the employee work in the booth, eventually made this means of traffic control impractical, and the practice was thereby stopped.

For more than a year after the booth was closed, access to the lot was open and parking was free. This quickly became problematic as there was no control over who was parking in the lot, and citizens coming to the Administration Building to conduct business were having trouble finding parking spaces.

To regain control of the parking lot, and to ensure that adequate parking space is provided to the public, the County installed thirty-four meters at the parking spaces closest to the Administration Building. The cost to park at a meter is twenty-five cents per half hour, and the Sheriff's Department issues tickets to those individuals parking in spaces where time on the meters has expired. Twenty-five cents is a nominal charge, although it helps significantly in the regulation of who parks in the public's parking spaces.

As noted above, Council Member Jackson's motion included the removal of the meters along the street as well; however, these meters are under the jurisdiction of and enforced by the City of Columbia. The County, therefore, does not have the authority to remove these meters.

### **C. Financial Impact**

The cost to install the meters was \$12,500. If the meters were to be removed, there would be a loss of use of the expenditure. The County may be able to sell the meters and recoup some of its investment, but at what rate is unclear.

In addition, the meters generate approximately \$15,000 in revenue annually. This revenue is utilized for the maintenance of the County's parking facilities at 2020 Hampton Street. Removal of the meters would result in a loss of this revenue.

Despite the financial impact, it should be noted that the meters were not installed to generate revenue for the County but to provide better control over the parking lot.

#### D. Alternatives

The following alternatives exist with respect to this request:

1. Approve the proposed removal of the parking meters at 2020 Hampton Street, which would result in free but uncontrolled parking for the public.
2. Do not approve the removal of the meters and continue to charge the public the nominal parking fee. This will allow the County to maintain control of access to the parking lot.

#### E. Recommendation

In light of the fact that the parking meters allow for control of access to the County's parking lot and ensure that there are adequate parking spaces for the public, it is recommended that the meters not be removed.

Recommended by: Tony McDonald Department: Administration Date: 2/4/10

#### F. Reviews

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

##### Finance

Reviewed by: Daniel Driggers

Date: 2/5/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend that the parking meters not be removed (Alternative 2 above).

##### Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: No recommendation: Council discretion

##### Administration

Reviewed by: Tony McDonald

Date: 2/16/10

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: In light of the fact that the parking meters allow for control of access to the County's parking lot and ensure that there are adequate

parking spaces for the public, it is recommended that the meters not be removed (Alternative 2 above).

# Richland County Council Request of Action

**Subject**

Fire Department ISO ratings [page 46]

**Reviews**

Motion: Ensure that any negotiations with the Fire Departments, City and County, make a priority to keep ISO ratings and is in the best interest of the citizens and fire fighter safety.

**Information regarding this item will be distributed during the Development and Services Committee meeting on March 23<sup>rd</sup> 2010.**

# Richland County Council Request of Action

**Subject**

Review all Engineering and Architectural Drawing Requirements to make sure there is no unnecessary charge or expense to citizens [pages 48-51]

**Reviews**



## RICHLAND COUNTY

Department of Public Works

C. Laney Talbert Center

400 Powell Road

Columbia, South Carolina 29203

Voice: (803) 576-2400 Facsimile (803) 576-2499

<http://www.richlandonline.com/departments/publicworks/index.asp>



### MEMO

To: Sparty Hammett, Assistant County Administrator

From: David Hoops, Director

Re: Review of Engineering and Architectural Requirements for Submittals to Public Works

Date: February 17, 2010

The following are requirements for site plan/land disturbance permit applications to Public Works. The red type indicates where our requirements are dictated by other entities, such as DHEC, EPA or SCDOT. Most documents are required under the general National Pollutant Discharge Elimination System (NPDES) Permit that has been issued to Richland County. We could reduce the number of plans submitted to Public Works for small projects to one (1) full size copy. Also, for small projects where only structures are being erected, we could limit our submittal to the Notice of Intent (NOI) (as required by SCDHEC) and not require any plans submitted to Public Works. It is very difficult to generalize this reduction in plan submittals or describe the conditions when it may apply. I believe it would have to be applied by the plan reviewer on a project by project basis.

#### **Required Plan and Calculations submittals for Public Works NPDES Approval**

##### **Projects (0 -1 acre)**

- **Required by Richland County**
  1. **2 - Full-Size Complete Sets of Engineering Drawings 24" x 36"**
  2. **1 - Reduced Complete Set of Engineering Drawings 11" x 17"**
- **Required by others**
  3. **Notice of Intent Form (DHEC) *Does not have to be prepared by a P.E. {2-Page Standard DHEC Form}***
  4. **Copy of the Richland County Plan Review Checklist *{7-Page Standard Form that's required by SCDHEC to show what is applicable and not applicable to your project}***



5. **Permanent Storm Water Maintenance Agreement** *[If Applicable]{1-Page Standard DHEC Form}*
6. **Project Narrative** *{1-Page Requirement}*
7. **Copy of SCDOT Encroachment Permit Application** *[If Applicable]{ Standard SCDOT Form, required by SCDOT if tying into their road system}*
8. **Drainage Calculations** *[If Applicable] {Supporting Technical Documentation}*
9. **Storm Water Pollution Prevention Plan (Level 1)** *{Plan or Manual Format, Required by EPA}*

### Projects (1-10 acres)

- **Required by Richland County**
  1. **2 - Full-Size Complete Sets of Engineering Drawings** 24" x 36"
  2. **1 - Reduced Complete Set of Engineering Drawings** 11" x 17"
- **Required by others**
  3. **Notice of Intent Form (DHEC)** *(Has to be prepared by a P.E) .{2-Page Standard DHEC Form}*
  4. **Copy of the Richland County Plan Review Checklist** *{7-Page Standard Form that's required by SCDHEC to show what is applicable and not applicable to your project}*
  5. **Permanent Storm Water Maintenance Agreement** *1-Page Standard DHEC Form}*
  6. **Project Narrative** *{1-Page Requirement}*
  7. **Copy of SCDOT Encroachment Permit Application** *[If Applicable]{ Standard SCDOT Form, required by SCDOT if tying into their road system}*
  8. **Drainage Calculations** *{Supporting Technical Documentation}*
  9. **Storm Water Pollution Prevention Plan (Level 2)** *{Manual Format, Required by EPA}*

### Projects (10+ acres)

- **Required by Richland County**
  1. **2 - Full-Size Complete Sets of Engineering Drawings** 24" x 36"
  2. **1 - Reduced Complete Set of Engineering Drawings** 11" x 17"
- **Required by others**
  3. **Notice of Intent Form (DHEC)** *(Has to be prepared by a P.E) .{2-Page Standard DHEC Form}*
  4. **Copy of the Richland County Plan Review Checklist** *{7-Page Standard Form that's required by SCDHEC to show what is applicable and not applicable to your project}*

5. **Permanent Storm Water Maintenance Agreement***{1-Page Standard DHEC Form}*
6. **Project Narrative** *{1-Page Requirement}*
7. **Copy of SCDOT Encroachment Permit Application** *[If Applicable] { Standard SCDOT Form, required by SCDOT if tying into their road system}*
8. **Drainage Calculations** *{Supporting Technical Documentation}*
9. **Storm Water Pollution Prevention Plan (Level 2)** *{Manual Format, Required by EPA}*

## **Memo**

**To: Sparty Hammett, Assistant County Administrator**  
**CC: Anna Almeida, Deputy Planning Director**  
**From: Geonard H. Price, Zoning Administrator**  
**Date: 16 February 2010**  
**Re: Architectural and Engineering Requirements**

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The request to determine unnecessary fees is targeted primarily towards land development permits. Staff has determined the fee structure associated with plan submittals should remain as is.

The major cost to applicants comes from the requirement of having plans prepared by a professional (i.e., engineer, surveyor, or architect). The Land Development Code (LDC) provides that minor land development plans must be drawn to scale, but are not required to be prepared by a professional. The determination that the plans must be professionally prepared would come from another department (such as Public Works).

As for major land developments, the plans are required by the LDC to be professionally prepared. It is staff's contention that due to the complex nature of the projects that would fall under this category, professional preparation of plans is required.