



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

**APRIL 28, 2009
5:00 PM**

**2020 Hampton Street
Council Chambers**

CALL TO ORDER

APPROVAL OF MINUTES

1. March 24, 2009: Regular Session

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Lower Richland property purchase and potential usage
3. Request to approve a friendly condemnation for the purpose of obtaining a sewer easement at 1416 Heyward Brockington Road (TMS# 9504-04-03)

4. Request to authorize the negotiation of a contract for C&D Transportation Services to the most qualified service provided
5. Request to approve amendments to the Richland County Neighborhood Improvement Community Matching Grants Program
6. Request to approve amendments to the Richland County Neighborhood Improvement Community Planning Grants Program
7. Request to authorize the negotiation of a contract with Loveless and Loveless C&D Landfill for C&D Disposal services
8. An ordinance amending the Richland County Code of Ordinances; Chapter 18, Offenses; so as to clarify the requirements pertaining to the smoking of tobacco products in the unincorporated area of Richland County
9. Intergovernmental Agreement between Richland County and the Town of Blythewood relating to the acceptance and maintenance of public roads and associated drainage systems

ITEMS FOR DISCUSSION / INFORMATION

10. Council Motion (Malinowski): Any expenses incurred by Richland County for infrastructure due to development in incorporated areas will be billed to and paid for by the incorporated area creating the expense

ADJOURNMENT



Richland County Council Request of Action

Subject

March 24, 2009: Regular Session

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

Recommended By:

Department:

Date:

Reviews

**Richland County Council
Development and Services Committee
March 24, 2009
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.

Members Present:

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

Others Present: Paul Livingston, Valerie Hutchinson, Joyce Dickerson, Kelvin Washington, Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Matthews, Joe Cronin, Larry Smith, Pam Davis, Paul Alcatar, Michelle Onley

CALL TO ORDER

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

APPROVAL OF MINUTES

February 24, 2009 (Regular Session) – Mr. Jeter moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Malinowski requested that the Smoking Ban Ordinance Clarifications and Enforcement be moved to Items for Discussion/Information.

Mr. Malinowski moved, seconded by Mr. Jeter, to approve as corrected. The vote in favor was unanimous.

ITEMS FOR ACTION

A Resolution requesting that the South Carolina General Assembly continue to support meaningful incentives for recyclers in recognition of the energy and environmental

benefits of recycling to our county, the state, and the nation – A discussion took place.

Mr. Jeter moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval with the resolution being amended to note the firm that provided the statistical information included in the resolution. The vote in favor was unanimous.

Request to approve the early renewal of a municipal solid waste contract with Waste Management, Inc. – A discussion took place.

Mr. Malinowski moved, seconded by Mr. Jeter, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Request to consider a petition filed in circuit court to close a portion of Blaine Street and Dunston Street – A discussion took place.

Mr. Jeter moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

Request to approve a grant in the amount of \$28,000 from the South Carolina Competitive Grants Program to support the Gills Creek Watershed Restoration Project (No Personnel) – Mr. Malinowski moved, seconded by Mr. Jeter, to forward this item to Council with a recommendation for approval. The vote in favor was unanimous.

ITEMS FOR DISCUSSION/INFORMATION

Smoking Ban Ordinance Clarification and Enforcement – Ms. Matthews gave an overview of staff's proposed ordinance clarifications.

Request to dedicate a portion of road maintenance fee revenues for the paving of dirt roads – Mr. Hammett gave an update regarding this item.

Request to establish a Sewer Availability Fee – A report will be given to the committee once a legal review has been completed.

Request to establish a Jail Intervention Program – This item was held in committee for additional information.

ADJOURNMENT

The meeting adjourned at approximately 6:00.

Submitted by,

Norman Jackson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Lower Richland property purchase and potential usage

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

Recommended By:

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: Lower Richland Property Purchase and Potential Usage

A. Purpose

The purpose of this Request of Action is to determine a usage for the identified property in Lower Richland.

B. Background / Discussion

The following occurred at the March 17, 2009 Council Meeting:

Request to purchase property in Lower Richland with \$2.8 million dollars (\$2,800,000) from the Hospitality Tax fund balance for tourism-related activities – Mr. Jackson moved, seconded Mr. Washington, to purchase the property in Lower Richland for \$2.8 million from the Hospitality Tax fund defined as: “all parcel or tract of land containing 128.77 acres, more or less, located east of Lower Richland Boulevard, southeast of the intersection of Hwy. 378, Sumter Hwy., and west of the other lands of Richland County, more particularly shown on and described on certain bonded survey prepared by Lower Richland Investors, LLC, Civil Engineering of Columbia, dated December 12, 2007, and recorded in the ROD for Richland County, December 19, 2007, in Plat Book 1385, Page 3138.” A discussion took place.

POINT OF ORDER – Ms. Smith stated that there was nothing included in the Council agenda identifying the land and inquired if this was taken up during the D&S Committee meeting.

Mr. Livingston ruled that Mr. Jackson’s motion would be amending the D&S Committee’s recommendation.

Mr. Washington made a substitute motion, seconded by Ms. Dickerson, to refer this item back to committee and clarify which property is to be purchased, the amount that is to be paid for the property and exactly what is going to be done with the land. A discussion took place.

Ms. Hutchinson made a second substitute motion, seconded by Ms. Smith, to consider Alternative #2, to “direct staff to pursue the purchase of property in Lower Richland for tourism-related activities after undertaking a comprehensive assessment to determine the need for the property, and its stated use(s).” A discussion took place.

Ms. Smith requested the following amendment to Ms. Hutchinson’s motion: to give first priority to the property identified in Mr. Jackson’s motion.

Ms. Hutchinson accepted the amendment.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Jackson
Malinowski	Livingston
Hutchinson	Dickerson
Jeter	Manning
Smith	Kennedy
	Washington

The second substitute motion failed.

Mr. Washington restated his motion as follows: to send this item back to committee, take the existing study and come up with a usage for the identified property.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Jackson
Malinowski	Hutchinson
Jeter	Manning
Livingston	
Dickerson	
Kennedy	
Washington	
Smith	

The substitute motion passed.

Per the motion, staff is hereby presenting potential usages for the identified property, taken from the Lower Richland Area Property Feasibility Study, Phase I, Addendum 1 (attached here in its entirety, along with the corresponding Executive Summary).

1. A Water Park and High Adventure Center for Richland County
2. Recreation and High Adventure Complex for Richland County
3. Golf Course and Club House (and Alternative Golf-Related Facilities)
4. Environmental Passive Recreation Center
5. Land Banking

Per the study, “although none of the proposed alternative uses appear to generate a positive cash flow...alternatives 1 and 2 could be given further consideration by Richland County as possible feasible uses for the subject sites. Both scenarios would create a location unique to Lower Richland, Richland County, and the region, and could potentially create a “critical mass” and an “excitement” to the extent that proceeding with one or the other as a matter of public policy could be deemed to outweigh the expected annual deficits.”

C. Financial Impact

It has been discussed that the purchase of the property for \$2.8 million would come from the Hospitality Tax. Further, depending on the usage that Council chooses, costs would vary from \$2.8 million (to land bank the property, with the assumption that the \$2.8 million cost is not negotiable) up to \$15+ million dollars.

D. Alternatives

1. Determine potential usage(s) for the identified property.
2. Do not determine potential usage(s) for the identified property at this time.

E. Recommendation

Motion made by Councilman Washington at the March 17, 2009 Council meeting.

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 4/14/09

Recommend Approval

Recommend Denial

No Recommendation

Comments: Hospitality tax funds have some restrictions on use so any project should be consistent with the allowable use of those funds. Based on the limited information presented, all alternatives seem to be allowable. After Council evaluates the program merits and approves a project, the financing can be structured to fit within available funding in the hospitality tax fund.

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments: Council's discretion

Administration

Reviewed by: J. Milton Pope

Date: 4-20-09

Comments: Council should first determine a use for the property prior to a purchase of property and I reiterate the comments of the Finance Director.

DETERMINE THE VIABILITY, MARKETABILITY, USEFULNESS AND NEED OF THE PROPOSED PROJECT
THE PROPOSED USES AND PROTECTION OF THE PROPERTY ENVIRONMENTAL ASPECTS OF
THE PROJECT AND OUTLINE ALTERNATIVES ENHANCE THE PROJECT'S ACCESSIBILITY
EARLY ON THAT COULD AFFECT THE PROJECT PROVIDE QUALITY INFORMATION FOR DECISION
PROVIDE DOCUMENTATION THAT THE PROJECT WAS THOROUGHLY INVESTIGATED POTENTIAL
SECURING FUNDING FROM LENDING INSTITUTIONS

Addendum 1

RICHLAND COUNTY



LOWER RICHLAND AREA PROPERTY FEASIBILITY STUDY - PHASE I

CONTRACT NUMBER RC-PC-447

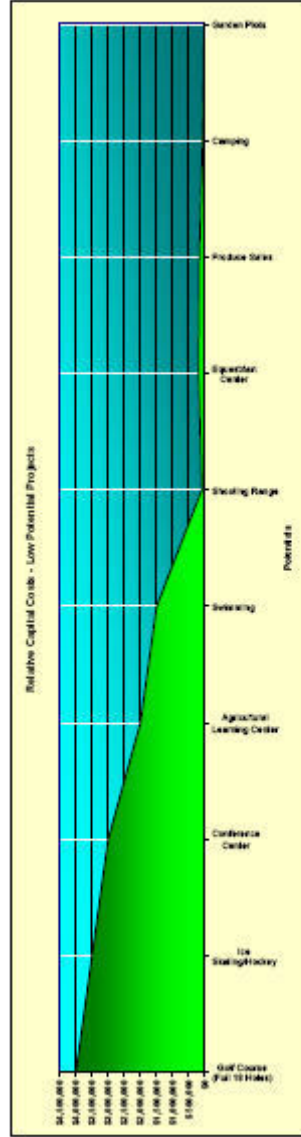
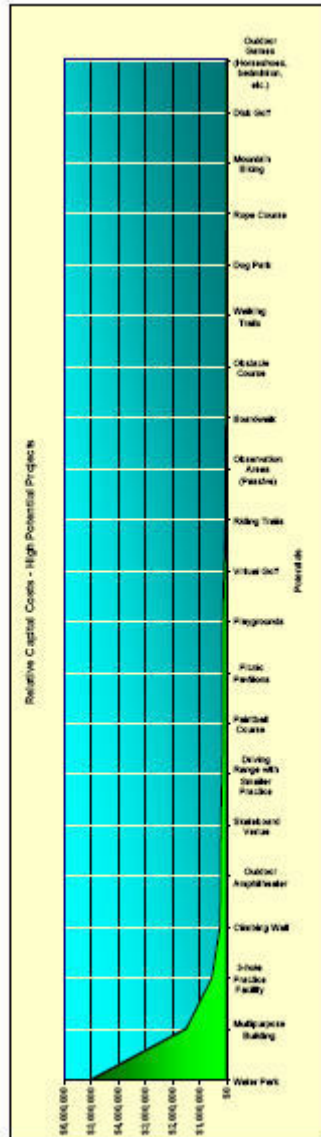
Submitted to:
RICHLAND COUNTY,
SOUTH CAROLINA
November 2008



Addendum 1

Priority Primary Uses for the Subject Sites





Water Park Option	Debit or Cost	Notes
Water Park/Swim Center		
Land	\$3,100,000	Assume the full price cost (note the median cost and that the period is longer at the address) (note, no reduction in the price)
Capital Costs	\$5,000,000	Assume same type facility as the Atlanta Park at Fort Jackson - a smaller, less impressive facility would be similar in capital costs, but would not be comparable with the venue.
Multipurpose Facility	\$1,500,000	Would be constructed with the water park to cover the additional needs of the community
Gymnasium		
Meeting Rooms		
Administration		
	\$9,600,000	
Annual Debt Service (20 years)	\$760,000	Assume 20 year bond with debt service
Annual Operational Costs	\$500,000	
Marketing Costs	\$170,000	Would be required to create a "new market"
Total Costs annual	\$1,430,000	Annual cost to the County
Revenue		
Assume 65,000 visitors at \$10 for water park	\$650,000	Assumes aggressive assumption of visitors. This is the total number of annual visitors to the Fort Jackson and Solids State water parks. Requires that aggressive marketing, taking a good portion of the existing customers from the existing parks, and creating a new market.
Miscellaneous Revenue Food, merchandise, etc.	\$75,000	
Total Annual Revenue	\$725,000	
Shortfall per year	(\$710,000)	Now if the visitors drop from 65,000 per year to 20,000 per year, the deficit grows to \$1.5M

High Adventure Option		Debit or Cost		Notes	
High Adventure					
General Infrastructure, Funding, etc.					
Rope Course		\$250,000			
Climbing Wall		\$15,000			
Climbing Wall		\$250,000			
Obstacle Course		\$75,000			
Mountain Biking		\$15,000			
Stateboard Volume		\$200,000			
Parashot Course		\$150,000			
Aerial Cliff		\$100,000			
Climbing Range		\$175,000			
3-Step Practice Facility		\$850,000			
Disc Golf		\$150,000			
Outdoor Amphitheater		\$225,000			
Walking Trails		\$25,000			
Picnic Facilities		\$150,000			
Outdoor Game (Horseshoes, Basketball, etc.)		\$75,000			
Playground		\$150,000			
		\$2,175,000			
Annual Debt Service (20 year)		\$175,000			Assumes 20 year level with debt service
Annual Operational Costs		\$475,000			Annual cost to the County
Total Costs annual		\$650,000			
Revenue					
Assumes 15,000 visitors at \$10			\$150,000		
So. Oregon visitors @ \$2,000			\$50,000		
Parashot 15,000 @ \$25			\$150,000		
Disc Golf			\$50,000		Assumes 10,000 players per year
Three Hole Facility/Climbing Range			\$215,000		Assumes 15,000 golfers per year
Food, Beverages, rental equipment, etc.			\$30,000		
Total Annual Revenue			\$770,000		
Operating Profit per year			\$120,000		
Including the Water Park Loan			(\$7,50,000)		Note could be as high as \$1.1 MM
Total Shortfall per Year			(\$590,000)		
Caution! The water park absorbs the total cost of the land which is why the loss is greater for the water park.					

Addendum 1
Priority Primary Uses for the Subject Sites

In a report entitled "Lower Richland Area Property Feasibility Study – Phase I) delivered to Richland County on November 14, 2008, Genesis Consulting Group concluded that the highest and best use of the 128.77-acre parcel that was part of the study was residential. This finding is consistent with the original plans of the owner, the recommendations of the County's planners that the property be rezoned for single family residential, as well as the opinions of multiple appraisers who were previously involved in establishing fair market values for the parcel.

Genesis Consulting Group reached its findings by way of an analysis of the local and regional markets with respect to the construction of a golf course on the 128.77-acre parcel and the adjacent 71.68-acre parcel; an assessment of current and future recreation needs of Lower Richland; and an identification (through field work, interviews, and research) of identified "excess capacity" of existing public and private facilities within and near the study area that would potentially (negatively) impact and be impacted by the development of new recreational, institutional/educational, and commercial uses on the subject sites. Based on these evaluations, Genesis Consulting Group concluded that the potential public recreational needs in the area in 2020 would require a maximum of 8.26 acres, and the alternative uses examined (particularly golf) would potentially 1) compete with existing facilities (and services) that are superior, with respect to their natural environment, location, and operating history, and/or 2) create even more "excess capacity" in the area.

Subsequently, Genesis Consulting Group was asked to make recommendations with respect to which use(s) or combination of uses on the subject sites, in its opinion, might come closest to being economically sustainable, provide other benefits for the Lower Richland community, and/or create a "destination" location in the community of tourism/recreational-based projects that also would not compete with what is currently available.

This addendum focuses on the potential use, or mix of uses, that could be developed on the 128.77-acre subject site. Genesis Consulting Group is proposing several scenarios, none of which are necessarily economically sustaining, but that in the firm's opinion would potentially establish this site as a regional and/or local "destination," and would minimize the fiscal impact on Richland County.

One of the major issues in examining potential uses for the site is the ability of the various uses to absorb land acquisition and construction costs, i.e., capital debt, in addition to generating revenues that meet or exceed annual operating expenses. Another issue is the likely economic impact that existing, competing facilities in the area will have on new projects, and vice versa, given that all of the competing projects are reported to have "excess service capacity." A third issue is that (even) if several potential land uses were economically sustainable, their acreage needs are likely less than the 128.77 acres available at the site. With these points in mind, Genesis Consulting Group suggests that the most "viable" land uses for the subject site include:

1) A Water Park and High Adventure Center for Richland County

This proposed mixed (recreation) use project would consist of several primary and secondary uses that would rely on the potential synergies between and among them to create a facility that would be unique within the region.



The primary uses would include:

- a water park/swim center (15 acres)
- a "high adventure" center (30 acres) including:
 - rope courses and slide
 - climbing wall
 - obstacle course
 - mountain biking
 - skateboarding venue
 - paintball courses (8 acres)
- a virtual golf center and a 3-hole golf course/driving range/disk (Frisbee) golf course and mini-golf (20 acres)
- a central multi-purpose building (2 acres) including:
 - a gymnasium
 - several smaller meeting/party rooms
 - food-prep center
 - administration and maintenance

Additional, support facilities (15 acres) could include:

- parking
- an outdoor amphitheater
- walking trails
- picnic pavilions and picnic areas with small sport facilities:
 - horseshoes
 - corn hole or corn toss
 - badminton
 - playgrounds, etc.

The proposed center could be constructed in phases, and its component land uses would eventually occupy approximately 92 acres, which is just 3 acres fewer than the total size of the subject site minus wetlands areas. See attached Figure for a potential layout of the site.

This concept would rely on a primary, capital-intensive facility surrounded by numerous other compatible, potential "revenue centers" that 1) maximize the utilized area of the subject property, and 2) spread the cost of the land so it is "absorbed" by more than just one facility. It is also structured so as to minimize competition with any similar, privately-owned facilities in the area. These uses would share a common entrance(s) and a centrally located multi-purpose building that would include common areas, office space for each use, a gymnasium, meeting rooms, a kitchen, and maintenance/storage areas.

The primary positive of this combination of uses is that they would appear to be unique and could attract residents from Lower Richland and throughout the region. While the water park would compete directly with a similar facility (Palmetto Falls) at Fort Jackson (that annually serves 8,000 civilians), that facility was constructed primarily to serve military personnel and their families and is heavily subsidized by the Army. The "High Adventure" components, including the multi-purpose building and golf facilities, would have a potential corporate market in addition to a general public appeal. Other than the water park and multi-purpose building, the capital construction costs would be relatively low. The additional land could be developed with passive recreation such as walking or biking trails that are relatively



inexpensive to construct and would help promote the County's desire to establish more green space throughout the County.

A potential negative is that Palmetto Falls, as well as Saluda Splash located at Saluda Shoals Park, currently have excess capacity. It is unknown whether a water park at the subject site could attract enough customers from throughout the region to generate enough revenue to cover (the majority of the) debt service and operating costs. If Palmetto Falls at Fort Jackson was constructed for \$4.6 million in 2003, a similar facility would most likely cost approximately \$6 million today. A 10,000-square-foot multi-purpose building, including a gymnasium, is estimated to cost \$1.5 million to construct. The purchase price of \$3.1 million for the subject property would bring the total capital costs to \$9.6 million for the items listed above. This expenditure would result in annual debt service of approximately \$760,000. For reference, approximately 86,000 customers annually patronize Saluda Splash and Palmetto Falls combined. If the water park proposed for the subject site could attract 86,000 customers, at \$10 per person per visit, plus miscellaneous revenue of \$76,000, then total revenues of \$860,000 per year would be generated. With operating costs for the various facilities estimated at \$600,000, and marketing costs of \$176,000, the total annual deficit would likely be about \$710,000, assuming this aggressive number of visitors and revenues projected.

While the "High Adventure" and other facilities are not as capital intensive, the capital and operating costs are estimated at \$2.175 million, which would result in \$176,000 in additional debt service and increased operating costs of \$476,000. In a reasonable scenario, the use of the "High Adventure" facility could generate:

- 16,000 public customers at \$10 per visit
- 30 corporate users at \$2,000 per session
- 6,200 (largely weekend) customers (at two paintball courses) at \$26 per session
- 10,000 players at \$10 per person at all the golf/disk golf venues
- miscellaneous income of \$30,000 from food and beverage sales, general sales, equipment rental, etc.

The resulting revenues would be an estimated \$770,000. Even with additional debt and operating costs of \$660,000, there may be opportunities to generate excess revenues (\$120,000) which, when combined with the deficit from the water park complex, could reduce the total project deficit to approximately \$590,000 annually. (Note that every additional \$1 of revenue above the assumptions made here would reduce the overall project deficit by \$1). This estimated deficit would fall within the middle of the range of the potential deficits projected for golf course construction and operations in the original report.

As a final consideration, Genesis Consulting Group believes that the level of user activity (and revenue) would be as much as ten percent (10%) higher if the project directly fronted Carners Ferry Road. Consideration could be given to developing the proposed Water Park and High Adventure Center on the land at Carners Ferry Sports Complex, with the athletic fields and related facilities located on the subject sites.

2) Recreation and High Adventure Complex for Richland County

This proposed facility scenario would be very similar to the one proposed above, except that there would be no water park and swimming pool.



The positive of this scenario is that this project would dramatically reduce the required capital investment associated with the water park and swimming center; however, the project would still be unique to Richland County and the region in many respects.

The primary negative is that this project loses its major attraction (the water park), and the remaining facilities would potentially see perhaps as much as a ten percent (10%) decrease in their business activity. Additionally, while these components are capable of generating excess revenues when developed in conjunction with the water park (as discussed in Scenario 1), they would now need to bear the full \$3.1 million in land acquisition costs. In other words, there would no longer be economies of scale from "sharing" certain operating expenses. Consequently, while these same facilities could generate an estimated \$770,000 in revenues with the water park (as noted above), the revenues could fall to about \$693,000 without the water park. Capital costs would rise from \$2.176 million to \$5.276 million with the absorption of all land acquisition costs, thereby increasing annual debt service to about \$418,000. With operating expenses increasing from an estimated \$476,000 to about \$626,000, this project could result in an annual deficit of about \$260,000. This estimated deficit would be somewhat more than the low end of the range of potential annual deficits projected for golf course construction and operation in the original report (\$179,610).

3) Golf Course and Club House (and Alternative Golf-Related Facilities)

Genesis Consulting Group thoroughly evaluated the potential use of the subject properties for an 18-hole regulation golf facility within Phase I of the original feasibility study report. Based on the evaluation, construction and operation of an 18-hole facility would result in an estimated potential annual deficit ranging from approximately \$176,000 to as much as \$1.1 million (for up to the first 20 years of operation). These estimated deficits were based primarily on the high costs of debt service for initial land acquisition and course/infrastructure construction, as well as the relatively significant costs for operations and maintenance of such a facility. It should be noted, however, that after the 20-year period required to retire the debt service for land acquisition and initial course and infrastructure costs, such a facility has the potential to operate at essentially a "break even" annual rate (and could realize a small annual surplus).

Although an 18-hole facility would require a large amount of subsidy funding from other County sources for up to 20 years, other more scaled-down golf-related facilities could be established that would require less acreage, lower construction costs, and more limited operational/maintenance expenditures. As suggested under the first two potential use scenarios, these scaled-back facilities could be combined with other activities as part of a larger "destination" location in Lower Richland. Such facilities could include features such as a three-hole "mini" course (either all Par 3 or Par 3/Par 4/Par 5), a 10-15 tee driving range, a sand trap/pitching practice area, a practice putting surface, a designated golf instruction area, and an indoor "classroom" for educational sessions. Although such facilities would most likely not be able to accommodate traditional golf tournaments, they would be able to host high school- and college-level golf team practice sessions and other key golf programs geared toward youth golf (such as First Tee Golf and Life Skills Programs). With the exception of the three-hole "mini" course, a comparable model facility is the James E. Clyburn Golf Center located at 2911 Slights Avenue in downtown Columbia, SC.

As another alternative golf-related use that could be established in lieu of or in combination with the facilities described above could be the construction of an indoor "virtual" golf facility or indoor golf simulator. Such facilities could provide a realistic golfing experience using course layouts from famous golf courses throughout the world, as well as comprehensive swing analyses and other teaching features.



A virtual golf center could conceivably host "virtual" tournament events, in addition to being used as practice and/or instructional facilities.

For any of the facilities discussed above, there would still be various land acquisition, capital, and ongoing operations and maintenance costs. Establishment of a three-hole "mini" facility would represent the highest cost option based on required acreage and initial construction/O&M costs. These costs would include annual debt service for acquisition of approximately 20 acres (approximately \$40,000), annual debt service for approximately \$660,000 in construction and \$250,000 in other infrastructure (approximately \$84,000), and approximately \$176,000 in annual O&M costs for a total estimated annual cost of \$279,000. Establishment of an outdoor driving range/practice facility would require more moderate capital expenditures for land, construction, and O&M. These costs would include annual debt service for acquisition of approximately 6 acres (approximately \$12,500), annual debt service for approximately \$110,000 in construction and \$85,000 in other infrastructure (approximately \$14,000), and approximately \$100,000 in annual O&M costs for a total estimated annual cost of \$126,500. A virtual golf center would require the least amount of acreage and the lowest expenditures on initial construction, but would require some significant investments in computer equipment and software systems (total estimated capital cost of \$100,000).

It should be noted, however, that if these facilities are constructed in conjunction with other facilities on the entire 128.77-acre site, the cost of land acquisition and other infrastructure construction would be absorbed in the overall development of the land. Also, any (or a combination) of the above alternatives could include features that would provide some level of revenue generation to offset costs. Based on usage estimates for a three-hole facility of approximately 15,000 "rounds" per year at an estimated revenue generation of \$9 per round would total \$135,000 per year of revenue. Based on usage estimates for an outdoor driving range/practice facility of approximately 20,000 "visits" per year at an estimated revenue generation of \$4 per visit would total \$80,000 per year of revenue. Revenue generation estimates for a virtual golf center are more difficult since 1) such a facility would most likely be constructed in conjunction with either the outdoor driving range and/or the three-hole facility and 2) very few comparable facilities currently exist for "benchmarking" purposes. Nevertheless, based on a usage estimate of 6,000 "rounds" per year at an estimated revenue generation of \$10 per round would total \$60,000 per year of revenue.

4) Environmental Passive Recreation Center

This use would constitute the most limited, passive uses for the property, and would require only modest site improvements such as walking trails, riding trails, camping areas, picnicking facilities, etc., none of which would reasonably be expected to generate revenue.

Capital costs would include the land acquisition (\$3.1 million), demolition of existing structures, and any combination of limited improvements identified (or similar to the) above (\$500,000), and minimal annual operating and maintenance expenses (\$25,000), for an annual fixed cost of approximately \$285,000.

The positive of this scenario is that the annual gross costs to Richland County are much lower than those associated with the uses outlined above; however, the negative is that even the modest improvements proposed would not appear to be of significant benefit to residents of Lower Richland and Richland County.

6) Land Banking

This use consists of minimal development of the subject site, and entails simply acquiring the property for permanent open space. The fixed cost of this option would equal the annual debt service for land acquisition (approximately \$246,600) and an annual appropriation for unspecified maintenance of the site (approximately \$26,000) for a total of \$270,000 per annum. There is some undeterminable environmental value for current and future residents.

Conclusions

In conclusion, although none of the proposed alternative uses appear to generate a positive cash flow, Genesis Consulting Group believes that alternatives 1) and 2) could be given further consideration by Richland County as possible feasible uses for the subject sites. Both scenarios would create a location unique to Lower Richland, Richland County, and the region, and could potentially create a "critical mass" and an "excitement" to the extent that proceeding with one or the other as a matter of public policy could be deemed to outweigh the expected annual deficits.



Addendum 1 – Executive Summary

- Lower Richland Area Property Feasibility Study – Phase I (November 14, 2006) concludes that “highest and best” use of the 128.77-acre “Mungo” property is residential based solely on economics and recreational needs.
- Phase I Report also concluded that 2020 public recreational needs for Lower Richland would require an additional 8.26 acres to accommodate new facilities.
- Findings were based on analysis of local and regional markets; assessment of current/future recreation needs; and identification of “excess capacity” in current facilities
- Purpose of Addendum 1 is to make recommendations with respect to uses for the “Mungo” property that might:
 - Create a tourism/recreation-based “destination” location in the community
 - Provide other benefits for the community
 - Come closest to being economically sustainable
- Major issues in examining potential uses:
 - Ability to absorb land acquisition and construction costs
 - Ability to generate revenue to offset annual operating expenses
 - Likely economic impact to (and from) existing competing facilities in the area
 - Total acreage needed to realize project completion
- Based on these parameters, Genesis Consulting Group suggests the most viable land uses include:

Water Park and High Adventure Center (and Support Facilities)

- Water park/swim center
- “High adventure” center
- Virtual golf center
- Multi-purpose building
- Outdoor amphitheater
- Walking trails
- Picnic pavilions
- Other complementary offerings

Positives:

1. Unique and could attract LR residents and visitors throughout the region
2. “High adventure” components have potential to create “corporate market”
3. Other than water park, capital construction costs would be relatively low
4. Additional land could be developed as passive recreation
5. “High adventure” components have potential to lower overall annual shortfalls.



Negatives:

1. Palmetto Falls & Saluda Shoals currently have excess capacity
2. Total annual deficit of the water park could reach \$710,000 even with aggressive number of visitors and generated revenues
3. Although "high adventure" components could offset some expenses, annual deficit could still reach \$590,000
4. User activity and revenue could be as much as 10% higher if project directly fronted Carners Ferry Road

Recreation and "High Adventure" Complex

- Similar to above, with elimination of water park/swim center

Positives:

1. Project would still be unique and draw residents and visitors
2. Dramatic reduction in required capital investment

Negatives:

1. Project loses its major attraction (water park), and would have resulting drop in overall use
2. Project would likely result in annual deficit of approximately \$260,000

Golf Course (and Alternative Golf Related Facilities)

- 18-Hole Course (not recommended)
- 3-Hole "Mini" Course
- 10-16 Tee Driving Range/Sand Trap/Pitching Area/Putting Green
- Virtual Golf Center

Positives:

1. Scaled down facilities would require less acreage, lower construction costs, and lower O&M costs
2. 3-hole mini course would be unique offering in region
3. Practice facilities could host high school/college-level team practices and youth programs (i.e., First Tee)
4. Practice facilities would require relatively modest capital expenditures
5. Virtual facility would be unique and could host virtual tournaments and serve as practice venue
6. Virtual facility requires relatively very low capital expenditures
7. If developed in conjunction with other facilities, land acquisition/ infrastructure costs would be absorbed in larger development
8. As complementary offerings, facilities would generate some offsetting revenues

Negatives:

1. 18-hole course would run likely annual deficits ranging from \$175,000 to \$1.1 million (and all options would run at annual deficits)
2. 3-hole mini course would represent next highest capital cost option to 18-hole facility
3. Relatively high environmental impacts
3. Virtual facility most likely could not be stand-alone

Environmental Passive Recreation Center

- Walking trails
- Riding trails
- Camping areas
- Picnic facilities

Positives:

1. Requires only modest site improvements
2. Represents very low capital costs for construction
3. Relatively environmentally sensitive

Negatives:

1. Likely annual fixed cost of approximately \$285,000
2. None of the activities would generate offsetting revenues
3. Unlikely to attract significant number of visitors and only modest benefit to residents

Land Banking

- Permanent Open Space

Positives:

1. Requires minimal to no site improvements after acquisition
2. Most environmentally sensitive option
3. Provides some environmental value for current and future residents

Negatives:

1. Likely annual fixed cost of approximately \$270,000
2. No revenue generation
3. Unlikely to attract significant number of visitors

Conclusions:

- Although none of the proposed alternative uses appear to generate positive cash flow, Alternatives 1 and 2 above could be given further consideration as possible viable uses for the subject site.
- These scenarios would create a location in Lower Richland unique to the region
- Proceeding with either Alternative could be deemed as a matter of public policy to be of a benefit to the community that outweighs the expected annual deficits

Richland County Council Request of Action

Subject

Request to approve a friendly condemnation for the purpose of obtaining a sewer easement at 1416 Heyward Brockington Road (TMS# 9504-04-03)

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: Bookert Heights Sewer Project - Sewer Easement Condemnation

A. Purpose

County Council is requested to approve proceeding with a friendly condemnation of a sewer easement as part of the Bookert Heights Sanitary Sewer Project.

B. Background / Discussion

The County is undertaking a sanitary sewer project in the Bookert Heights Community that will provide sewer service to approximately 75 homes. In order to complete this project 62 easements were required. All easements have been secured except for one. The property owners at 1416 Heyward Brockington Road (TMS# 9504-04-03) are deceased and therefore not available to sign the easement. The current occupant of the property is willing to sign the easement but does not have the legal authority to sign the documents.

A friendly condemnation of the property will allow the sewer project to proceed. The current occupant has been informed of the situation, has approved the action and is anxious to see the sewer project completed.

C. Financial Impact

Approval of this request will have no financial impact on the project. Disapproval will add cost to redesign and will increase construction cost.

D. Alternatives

1. Approve the friendly condemnation.
2. Disapprove the condemnation – this action will require a redesign and add cost to the project to continue.

E. Recommendation

It is recommended that Council approve the friendly condemnation of the sewer easement at 1416 Heyward Brockington Road (TMS# 9504-04-03).

Recommended by: Andy H. Metts **Department:** Utilities **Date:** 4/14/09

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date:

✓ Recommend Approval

- Recommend Denial
 - No Recommendation
- Comments:

Legal

Reviewed by: Larry Smith

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments:

Administration

Reviewed by: Sparty Hammett

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments:

Richland County Council Request of Action

Subject

Request to authorize the negotiation of a contract for C&D Transportation Services to the most qualified service provided

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: Solid Waste Transportation Contract RC-001-P-0809

A. Purpose

County Council is requested to allow the Solid Waste Division along with the Procurement Department to enter into negotiations between Richland County and qualified bidders for the transportation services of C&D waste from the Richland County patronage area to the C&D Landfill working face and Transportation of C&D materials collected at the Lower Richland Drop-off Site to an approved C&D facility.

B. Background / Discussion

- The hauling contract with the current vendor for the county landfill patron area containers and Lower Richland Drop-off Site containers expires July 1, 2009. Richland County does not have the equipment to haul the debris from the sites so services must be procured.
- The request to put the transportation contract out to bid was sent to procurement in October 2008. The proposals have been received and negotiations for best value are ready to begin.

C. Financial Impact

The Solid Waste Division is an enterprise fund. Funds are projected and included with this year's request.

D. Alternatives

1. Approve the request to allow Solid Waste and Procurement to enter into negotiations with the most responsive responder.
2. Do not approve and allow to discontinue.

E. Recommendation

It is recommended that Council approve the alternative one to allow the Solid Waste Division along with the Procurement Department to enter into negotiations with qualified proposers for transportation services of C&D materials.

Recommended by:
Paul F. Alcantar

Department:
Solid Waste Department

Date:
04/ 13/ 09

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: Contingent upon level of funding approved in the FY10 budget process.

Procurement

Reviewed by: Rodolfo Callwood

Date: 4-15-09

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: Request for Proposals was advertised on October 13, 2008, there was a Pre-Conference on October 30, 2008 and four proposals were received on November 28, 2008. Proposals were evaluated by Solid Waste and Procurement and Allwaste Services, Incorporated was evaluated as the most responsive and responsible Proposer. Recommend approval to allow negotiations and award of a contract.

Legal

Reviewed by: Larry Smith

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments:

Administration

Reviewed by: Tony McDonald

Date: 4/15/09

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments:

Richland County Council Request of Action

Subject

Request to approve amendments to the Richland County Neighborhood Improvement Community Matching Grants Program

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: Neighborhood Matching Grant Application and Guidelines 2009-2010

A. Purpose

The Neighborhood Improvement Program awards grants to neighborhood-based organizations to do projects that will make their neighborhoods better places to live, work, play, and shop. These projects may physically improve neighborhoods or help neighborhood organizations become stronger.

B. Background / Discussion

The Richland County Neighborhood Improvement Program would like to amend the matching grant program guidelines to require the following:

1. Limit grant awards to \$1,000.00 per fiscal year per association
2. Limit grant opportunities to real/true neighborhood associations/home owners associations thus requiring “partnership” with ineligible organizations as stipulated in the guidelines and application.
3. The three project categories and examples of possible projects are:
 - **Neighborhood Organization Development**
Activities that create new neighborhood organizations or increase membership in existing organizations to include newsletters and program flyers;
 - **Neighborhood Education/Recreation Initiatives**
Activities that promote after-school tutoring, adult education, career training, literacy, parenting, and health education; or, neighborhood-sponsored activities for children, outdoor events, festivals, and after-school recreational programs;
 - **Public Safety**
Neighborhood crime-watch signs, drug awareness and fire safety programs, and other programs that prevent or reduce crime;

C. Financial Impact

There is no financial impact associated with this request.

D. Alternatives

If Richland County Council chooses to **approve** the request to change the Neighborhood Improvement Matching Grant Guidelines, they will be stipulated as attached.

If Richland County Council chooses to **not approve** the Neighborhood Improvement Matching Grant Guidelines, they will remain as stipulated in the attached format.

E. Recommendation

It is recommended that Council approve the request to update the Richland County Neighborhood Improvement Program Matching Grant guidelines to include the aforementioned changes.

Recommended by:
Tiaa B. Rutherford

Department:
Neighborhood Improvement Program

Date:
April 6, 2009

F. Reviews

Planning

Reviewed by: Joe Kocy

Date: April 10, 2009

Recommend Approval

Recommend Denial

No Recommendation

Comments: These changes will improve and enhance the grant program.

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:



GUIDELINES/INSTRUCTIONS FOR NEIGHBORHOOD MATCHING GRANT PROGRAM

What are Neighborhood Matching Grants?

The Neighborhood Improvement Program awards grants to neighborhood-based organizations to do projects that will make their neighborhoods better places to live, work, play, and shop. These projects may physically improve neighborhoods or help neighborhood organizations become stronger. Public safety, education, and recreational initiatives can also receive grants. *All projects must comply with applicable Federal, State, County, and City codes.*

Your organization will compete for grants with other organizations. ***The maximum amount of funds to be awarded by the Neighborhood Improvement Program will be \$1,000.00 per neighborhood association.*** You must match funds awarded with contributions of volunteer time, cash, or in-kind donations of goods and services that are at least equal to the total amount of funds requested. The County will reimburse the organization for materials and supplies purchased. All requests for payment reimbursement must be accompanied by receipt.

Projects will be evaluated on:

- The quality of the project (Is it well planned and ready to implement? What is the intended benefit?).
- Neighborhood participation and contribution.
- Need for the project.

Who may apply?

Neighborhood-based resident organizations that have attended one grant orientation. The organization must be open to anyone that lives in the neighborhood regardless of race, creed, color, religion, sex, age, national origin, or physical and mental disability and must actively seek membership from everyone in the neighborhood.

Partnerships are encouraged. Ineligible organizations may participate by forming partnerships with a qualified neighborhood organization. The neighborhood must be the lead applicant and play the most important role.

What Kinds of Projects are Eligible?

To be eligible, projects must:

- ✓ Provide a public benefit to the neighborhood and its residents.
- ✓ Involve neighborhood people directly in all phases.
- ✓ Be achievable by June 30th of the current fiscal year.

The three project categories and examples of possible projects are:

❖ **Neighborhood Organization Development**

Activities that create new neighborhood organizations or increase membership in existing organizations to include newsletters and program flyers;

❖ **Neighborhood Education/Recreation Initiatives**

Activities that promote after-school tutoring, adult education, career training, literacy, parenting, and health education; or, neighborhood-sponsored activities for children, outdoor events, festivals, and after-school recreational programs;

❖ **Public Safety**

Neighborhood crime-watch signs, drug awareness and fire safety programs, and other programs that prevent or reduce crime;

Who May Not Apply/What Kind of Projects are Ineligible?

Individuals, single businesses, county-wide organizations, social service, fraternal and religious organizations, universities, foundations, political groups, and public agencies are ineligible to receive funding from the Richland County Neighborhood Matching Grant Program.

Ineligible projects include:

- Operating budget expenses
- Purchasing computers or software materials

The Neighborhood Contribution

Your organization must match the funds you request from the Neighborhood Improvement Program. The value of your neighborhood contribution must be equal to or greater than the total dollars you are requesting in your application.

Neighborhoods may come up with the matching contributions in a variety of ways:

- Volunteer labor (valued at \$10 per hour).
- Cash.
- Donated supplies, equipment, or professional services.

GENERAL INSTRUCTIONS: Please type or print clearly. Please answer each question completely. You may use additional sheets if necessary. If the question does not apply to your project, please put "N/A" (not applicable). **AN APPLICATION FORM IS ATTACHED FOR YOUR CONVENIENCE.**

COMPLETING THE APPLICATION:

Before you begin filling out the application:

- Is it an eligible project?
- If not, what changes are needed to make it eligible?
- Do you have the time, energy, and commitment from the residents of the neighborhood to complete the project?
- Does your project require partnerships in order for the job to be effectively and efficiently carried out?

If you need help with the application or have questions, contact Tiaa B. Rutherford, Neighborhood Planner, at (803) 576-2166.

APPLICATION DEADLINE: Application deadline is May 15th, 2009. All projects must be closed out by June 30th of each fiscal year!

Please mail or bring completed application to:

**Neighborhood Improvement Program
Richland County Planning & Development Services
P.O. Box 192
2020 Hampton Street, 1st Floor
Columbia, SC 29202**



2009/2010 Neighborhood Matching Grants Program Grantee Funding Agreement

Grantee name:

Brief description of the project:

Amount of grant award:

Amount neighborhood will contribute in:

Cash: \$

Labor: \$

Name of partner: N/A

Amount partner will contribute in:

Cash: \$

In-Kind:

Materials:

Labor:

Professional Services:

Description of supplies/materials to be purchased (see project budget page in application)

Project to be completed by: **June 15, 2010**

Special Conditions: **Pictures of the event, volunteer list, receipts for items purchased.**

Must obtain written approval from the Richland County Public Works Dept and/or S.C.D.O.T. if sign will be located in the right-of-way.

Must obtain sign permit from the Richland County Planning Department Zoning Division.

Page 2

Grantee Funding Agreement

Item# 5

Attachment number 1
Page 6 of 13

Purchasing: The County will establish a Purchase Order Number for the grantee under its Procurement Department. The County will reimburse the grantee for materials/supplies/services purchased in conjunction with the grant project, not to exceed the total amount of the grant award. The request for reimbursement must be accompanied by receipt. The grantee may also submit an invoice from a selected vendor with payment due upon receipt of the materials/supplies/services. Once the invoice is submitted, a check to the grantee will be written for the grantee to purchase those materials/supplies/services detailed in the invoice. The Project Coordinator or Neighborhood Organization Leader must submit a receipt for items purchased within two weeks of receiving the materials/supplies/services. Checks will be given only to the Project Coordinator or Neighborhood Organization Leader as listed in this Agreement. The Project Coordinator or the Neighborhood Organization Leader should submit invoices and receipts to the Neighborhood Improvement Program Office.

Applicable Laws: The grantee must comply with all applicable laws, ordinances, and codes and shall secure all necessary permits.

Indemnification: The grantee indemnifies and holds the County harmless, including its elected officials, agents and employees, from and against all claims, damages, losses and expenses, including but not limited to, attorney fees and expenses arising out of or resulting from the carrying out of any portion of this Agreement, arising out of any work activities performed under this Agreement, or constituting a breach of any term of this Agreement, except if a direct result of an act of the County.

Termination: The County shall have the right to terminate this Agreement for any breach of any term of this Agreement. A breach shall include, but not be limited to, failure to meet the match requirements, failure to provide volunteer labor, equipment or materials adequate to complete the project or failure to complete the project by the designated date. In such case, a notice of termination will be sent to the Project Coordinator and the Neighborhood Organization Leader.

The grantee shall also have the right to terminate this Agreement. A request to terminate by the grantee must be signed by the Project Coordinator and Neighborhood Organization Leader and submitted to the Neighborhood Improvement Program Office no later than the project completion date indicated on page one of this Agreement.

Extensions: Extensions may be granted only if:

- ☛ the request for an extension is made prior to the project completion date as indicated on page one of this Agreement;
- ☛ a revised grantee agreement is signed by the Neighborhood Planner, the Project Coordinator and the Neighborhood Organization Leader; and
- ☛ the project will be completed no later than June 15, 2009.

No extensions will be granted beyond June 15, 2010, unless approved by the Neighborhood Improvement Office. Grant monies not expended by June 15, 2010 will be forfeited by the grantee.

Page 3
Grantee Funding Agreement

Notice of Project Start-up: The Project Coordinator shall notify the Neighborhood Planner at least one week prior to the project start-up date in order to give staff ample time to notify the local media.

Notice of Project Participants and Partners: The Project Coordinator shall complete and return to the Neighborhood Planner a list of all project participants and any additional partners, including names and mailing addresses, within two weeks following project completion or by June 15, 2010, whichever comes first.

Project Coordinator

Date

Neighborhood Organization Leader

Date

Neighborhood Planner

Date



2009/2010 Neighborhood Matching Grant Application

County Council District: _____

Neighborhood/Organization: _____

Describe the Neighborhood (Association) Boundaries:

Neighborhood President/Chairperson

Name _____

Address _____

City/Zip _____

Phone _____

Project contact person

Name _____

Address _____

Phone _____

Email _____

AMOUNT REQUESTED

\$ _____

Project Category: *(check all that apply)*

- Neighborhood Education and Recreation Initiatives ()
- Organization Development ()
- Public Safety ()

Signature: _____

Application Checklist and Attachments

- ___ Application form is signed and complete
- ___ Bank Statement of Association
- ___ By-Laws of Neighborhood Association
- ___ Letters of Intent from partners (if applicable)

Eligibility

Funding preference will be given to Richland County neighborhoods that have attended one grant orientation.

Funding Limits:

Only \$1,000.00 will be granted per neighborhood association per year.

Submit application to:

Neighborhood Improvement Program
 Richland County Planning & Development Services

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

Questions may be directed to:

***Tiaa B. Rutherford, Neighborhood Planner
 (803) 576-2166***

***Erica L. Hink, Neighborhood Coordinator
 (803)576-1340 or hinke@rcgov.us***

Project Budget

Name of Neighborhood: _____

Budget and Matching Funds

In the respective column, indicate whether the line will be paid with: Grant, Cash, or In-Kind monies.

DESCRIPTION OF ITEMS NEEDED FOR PROJECT	AMOUNT REQUESTED	MATCH (GRANT, CASH OR IN-KIND)	PROJECT TOTAL
1.	\$ _____	\$ _____	\$ _____
2.	\$ _____	\$ _____	\$ _____
3.	\$ _____	\$ _____	\$ _____
4.	\$ _____	\$ _____	\$ _____
5.	\$ _____	\$ _____	\$ _____
6.	\$ _____	\$ _____	\$ _____
7.	\$ _____	\$ _____	\$ _____
8.	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____

Additional Budget Narrative

(Detail the project budget calculation. Give explanations on how you calculated budget line items)

HOW NEIGHBORHOOD WILL MEET MATCH

1. Labor (Hours of labor _____ x \$10 per hour) \$ _____
2. Other Sources (attach Letter of Intent) \$ _____
- Other Sources (attach Letter of Intent) \$ _____
- Other Sources (attach Letter of Intent) \$ _____
- TOTAL NEIGHBORHOOD MATCH** \$ _____

Please submit any estimates or quotes with this application



[Richland County Neighborhood Improvement Program](#) [Announces TWO Grant Programs for 2009-2010](#)

The Richland County Neighborhood Improvement Program has two grants programs for local communities for 2009-2010.

The Richland County Community Planning Grant is available to assist communities in 1). Addressing a known neighborhood deficiency; 2) Enhance the aesthetics of the neighborhood; 3) Complement other neighborhood investments (private or County); and 4) Implement the respective Master Plan or Richland County Comprehensive Plan.

Grant awards will be limited to one (1) \$10, 000 grants per Council District with a 20% up-contribution from Richland County to begin the project. Eligible applicants include Community and Neighborhood organizations, Homeowners Associations, and Property Owners Associations. Eligible activities include: Entrance signs to communities, Pedestrian-scale lighting, Sidewalk improvements, Streetscape landscaping, and Improvements to community owned parks (Parks owned by HOA or POA).

Projects will be evaluated on:

- The quality of the project (Is it well planned and ready to implement? What is the intended benefit?).
- Neighborhood participation and contribution.
- Need for the project

For more information on the Richland County Community Planning Grant, contact Tiaa B. Rutherford, (803) 576-2166 or email rutherfordt@rcgov.us.

The **Neighborhood Matching Grant** is available to neighborhood-based organizations to do projects that will make their neighborhoods better places to live, work, play, and shop. These projects may physically improve neighborhoods or help neighborhood organizations become stronger. Public safety, education, and recreational initiatives can also receive grants. *All projects must comply with applicable Federal, State, County, and City codes.*

Your organization will compete for grants with other organizations. *The maximum amount of funds to be awarded by the Neighborhood Improvement Program will be \$1,000.00 per neighborhood association.* You must match funds awarded with contributions of volunteer time, cash, or in-kind donations of goods and services that are at least equal to the total amount of funds requested. The County will reimburse the organization for materials and supplies purchased. All requests for payment reimbursement must be accompanied by receipt.

A match of 100% of volunteer time is required for all awarded grants. All projects must demonstrate a clear public benefit.

For more information on Neighborhood Matching grants, contact Erica Hink at (803) 576-1340 or email at hinke@rcgov.us.

The deadline to apply for both grant programs is **Friday May 15, 2009 at 4:00 pm.**

Program information and applications are online at:
<http://www.richlandonline.com/departments/Planning/NeighborhoodMatchingGrants.asp>.

Richland County Council Request of Action

Subject

Request to approve amendments to the Richland County Neighborhood Improvement Community Planning Grants Program

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: Richland County Community Planning Grant 2009-2010

A. Purpose

The Neighborhood Improvement Program will be administering the Richland County Community Planning Grants Program that has been created to assist community groups with 1) Addressing a known neighborhood deficiency; 2) Enhance the aesthetics of the neighborhood; 3) Complement other neighborhood investments (private or County); and 4) Implement the respective Master Plan or Richland County Comprehensive Plan. Grant awards are \$10,000.

B. Background / Discussion

The Richland County Neighborhood Improvement Program and the Richland County Community Development Office will be the funding agencies to the new grant program being administered by RCNIP. Each budget line will be responsible for providing \$55,000.00 to the new grant program. Only one grant will be awarded per Richland County Council District in a single grant period. Project work may be subject to review and approval by the Richland County Neighborhood Improvement Program staff. Interim progress reports will be stipulated in the grant agreement developed after the grant is awarded. Signage and outreach material must acknowledge contributions of Richland County Neighborhood Improvement Program and Richland County Community Development.

The Richland County Neighborhood Improvement Program will review all grant applications based on the following criteria:

- Eligible components
- Public Benefit
- Outside funding sources in partnership and in-kind donations
- Management oversight and maintenance
- Previous community improvement efforts

C. Financial Impact

There is no financial impact associated with this request.

D. Alternatives

If Richland County Council chooses to **approve** the request, the Neighborhood Improvement Program will administer the Richland County Community Planning Grant.

If Richland County Council chooses to **not approve** the Richland County Community Planning Grant, implementation of the master plans and Comprehensive Plan will be prolonged.

E. Recommendation

It is recommended that Council approve the request to update the Richland County Neighborhood Improvement Program Matching Grant guidelines to include the aforementioned changes.

Recommended by:
Tiaa B. Rutherford

Department:
Neighborhood Improvement Program

Date:
April 6, 2009

F. Reviews

Planning

Reviewed by: Joe Kocy

Date: April 10, 2009

Recommend Approval

Recommend Denial

No Recommendation

Comments: An effective catalyst for community revitalization.

Finance

Reviewed by: Daniel Driggers

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Legal

Reviewed by: Larry Smith

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Approval

Recommend Denial

No Recommendation

Comments:



RCCP Grant Program Criteria

The Richland County Community Planning Grants Program was created to assist community groups with 1) Addressing a known neighborhood deficiency; 2) Enhance the aesthetics of the neighborhood; 3) Complement other neighborhood investments (private or County); and 4) Implement the respective Master Plan or Richland County Comprehensive Plan within the unincorporated portion of Richland County.

Grant awards are \$10,000.

ELIGIBLE APPLICANTS

- Community and Neighborhood organizations
- Homeowners Association
- Property Owners Association

ELIGIBLE ACTIVITIES

- Entrance signs to communities
- Pedestrian-scale lighting
- Sidewalk improvements
- Streetscape landscaping
- Improvements to community owned parks (Parks owned by HOA or POA)

INELIGIBLE ACTIVITIES

- Individual landowner application
- Debris or Unsafe housing/commercial property removal
- Maintenance of existing structures to include water/sewer/electric bills

REIMBURSEMENT

In-kind services will count as matching funds. Costs incurred will be reimbursed once receipts and work is completed and approved by Richland County Neighborhood Improvement Program staff.

Reimbursements will not be allowed for work completed prior to signing the grant agreement.

**GRANT APPLICATION DEADLINE –May 15th, 2009 at 4:00 pm, Richland County
Neighborhood Improvement Office.**

PROJECT COMPLETION:

One year after the award is presented and the agreement is signed.

Grant Conditions:

Only one grant will be awarded per Richland County Council District in a single grant period. Project work may be subject to review and approval by the Richland County Neighborhood Improvement Program staff. Interim progress reports will be stipulated in the grant agreement developed after the grant is awarded. Signage and outreach material must acknowledge contributions of Richland County Neighborhood Improvement Program and Richland County Community Development.

The Richland County Neighborhood Improvement Program will review all grant applications based on the following criteria:

- Eligible components
- Public Benefit
- Outside funding sources in partnership and in-kind donations
- Management oversight and maintenance
- Previous community improvement efforts

APPLICATION

Applicants for the Richland County Community Development and Planning Grant Program must fill out an application and submit by the deadline to:

Richland County Neighborhood Improvement Program
2020 Hampton Street
P.O. Box 192
Columbia, SC 29202

for further information, contact Tiaa B. Rutherford, (803)576-2166 or email rutherfordt@rcgov.us.

Richland County Community Planning Grant Agreement

Grant Number:

Date:

Grant Period: July 1, 2009-June 30, 2010

EXAMPLE: Forest Acres hereby signifies acceptance of a project grant in the amount of 10,000 from the Richland County Conservation Commission. The grantee agrees to provide an in-kind or cash amount of at least \$2,000 for a minimum project cost of \$38,250.

Project Title:

Project Director:

Fiscal Agent:

The grantee agrees to administer the grant in compliance with the following provisions:

1. The project budget as approved by the RCNIP will be used to: 1) Addressing a known neighborhood deficiency; 2) Enhance the aesthetics of the neighborhood; 3) Complement other neighborhood investments (private or County); and 4) Implement the respective Master Plan or Richland County Comprehensive Plan.
2. No change of grant funds from one purpose to another may be made without prior written approval from RCNIP.
3. Invoices for expenditures will be submitted to the Richland County Neighborhood Improvement Program, attention Tiaa B. Rutherford, Neighborhood Planner, 2020 Hampton Street, 1st Floor, Columbia, 29204.
4. Payments will be made by Richland County within 30 days.
5. All news releases and publicity materials will acknowledge a partnership and funding support from the Richland County Neighborhood Improvement Program and Richland County Community Development.
6. Grantee agrees to submit a quarterly status report to the address above on August 1, October 1, December 1, February 1, April 1, and June 1.
7. **Grantee must notify Richland County Neighborhood Improvement Program staff of completion of project for final verification and inspection.**
8. Funds unencumbered or uncommitted at the end of the grant period will revert to the Richland County Neighborhood Improvement Program . Ten percent (10%) of the grant will be withheld until the project is complete and a final report is filed.

Grantee:

RCNIP Staff

Authorized Official

Tiaa B. Rutherford, Neighborhood Planner



**APPLICATION FOR
COMMUNITY DEVELOPMENT AND
NEIGHBORHOOD PLANNING GRANT 2009-2010**

Deadline for submission is Friday, May 15th, 2009 at 4:00PM, 1ST Floor of the County Administration Building at 2020 Hampton Street, Columbia, SC.

1. Project Title:

2. Applicant's Contact information:

Name of primary contact
Neighborhood Organization (Fiscal Agent)
Address
Phone Numbers
Email Address

3. Geographic Location of project:

4. Total project costs \$

Funds requested \$

(Maximum Grant Amount \$10,000)

5. Project Description:

- A. Issue of Concern
- B. Project objectives
- C. Results of activity – list results expected and how progress will be tracked.
- D. Projected public benefit outcomes.
- E. What is the baseline condition? (What currently exists?)
- F. Project Tasks – what are they, who will carry them out?

6. Project Justification:

- A. How does project meet the grant goals of RCCDP?
- B. How does this project benefit the public?
- D. How will the results of this project be shared with or transferred to others?

7. Project Staffing:

List personnel and consultants that will be working on the project and their qualifications.

8. Timeline:

Provide a schedule for completion of each of the activities proposed.

9. Budget:

- A. Provide an itemized budget.
- B. Show how any matching or in-kind funds will be used.
- C. How are volunteers used in this effort?
- D. List other supporting partners and funding.

10. Additional information:

- A. Letters of Support that show assistance with the project
- B. Maps and/or photos (these will not be returned)

Note: If awarded, a project agreement will be developed before the project begins. Neighborhood Association Bank Information must be provided to show proof existence.



[Richland County Neighborhood Improvement Program Announces TWO Grant Programs for 2009-2010](#)

The Richland County Neighborhood Improvement Program has two grants programs for local communities for 2009-2010.

The Richland County Community Planning Grant is available to assist communities in 1). Addressing a known neighborhood deficiency; 2) Enhance the aesthetics of the neighborhood; 3) Complement other neighborhood investments (private or County); and 4) Implement the respective Master Plan or Richland County Comprehensive Plan.

Grant awards will be limited to one (1) \$10, 000 grants per Council District with a 20% up-contribution from Richland County to begin the project. Eligible applicants include Community and Neighborhood organizations, Homeowners Associations, and Property Owners Associations. Eligible activities include: Entrance signs to communities, Pedestrian-scale lighting, Sidewalk improvements, Streetscape landscaping, and Improvements to community owned parks (Parks owned by HOA or POA).

Projects will be evaluated on:

- The quality of the project (Is it well planned and ready to implement? What is the intended benefit?).
- Neighborhood participation and contribution.
- Need for the project

For more information on the Richland County Community Planning Grant, contact Tiaa B. Rutherford, (803) 576-2166 or email rutherfordt@rcgov.us.

The **Neighborhood Matching Grant** is available to neighborhood-based organizations to do projects that will make their neighborhoods better places to live, work, play, and shop. These projects may physically improve neighborhoods or help neighborhood organizations become stronger. Public safety, education, and recreational initiatives can also receive grants. *All projects must comply with applicable Federal, State, County, and City codes.*

Your organization will compete for grants with other organizations. *The maximum amount of funds to be awarded by the Neighborhood Improvement Program will be \$1,000.00 per neighborhood association.* You must match funds awarded with contributions of volunteer time, cash, or in-kind donations of goods and services that are at least equal to the total amount of funds requested. The County will reimburse the organization for materials and supplies purchased. All requests for payment reimbursement must be accompanied by receipt.

A match of 100% of volunteer time is required for all awarded grants. All projects must demonstrate a clear public benefit.

For more information on Neighborhood Matching grants, contact Erica Hink at (803) 576-1340 or email at hinke@rcgov.us.

The deadline to apply for both grant programs is **Friday May 15, 2009 at 4:00 pm.**

Program information and applications are online at:
<http://www.richlandonline.com/departments/Planning/NeighborhoodMatchingGrants.asp>.

Richland County Council Request of Action

Subject

Request to authorize the negotiation of a contract with Loveless and Loveless C&D Landfill for C&D Disposal services

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

Recommended
By:

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: C&D Disposal Services Contract

A. Purpose

County Council is requested to approve the Contact Negotiations process Between the Richland County Solid Waste & Procurement Departments and Loveless and Loveless C&D landfill for the purpose of C&D disposal services. Council is also requested to allow the Procurement Director to enter into a contract agreement based on outcome of negotiations.

B. Background / Discussion

- The Solid Waste Department contracts for C&D disposal Services for materials collected at the Lower Richland County drop off facility and yard waste from residential collections on the SE side of Richland County.
- The current disposal contract is due to expire June 30, 2009.
- C&D Materials from Lower Richland drop-off and residential yard waste collections have been going to the Loveless and Loveless C&D landfill since 2000.
- County Council has approved several contracts with this vendor since 2000 to provide the same type of services.

C. Financial Impact

The Lower Richland drop-off facility, as well as residential curbside yard waste disposal, costs are part of the solid waste departments enterprise fund. All costs for the disposal and transportation of C&D materials collected at the Facility or at curbside are budgeted yearly.

The Solid waste department costs are funded by revenues generated by user fees.

Below is a projected cost for the 2009-2010 budget. The previous year's cost for these services were \$380,000

2009-2010 Budgeted Estimated expenses

3065 – 5272 Special Contracts	315,000
3055 – 5272 Special Contracts	100,000
<hr/>	
Estimated cost	\$415,000

No Contract will be awarded that exceeds the approved fiscal year 2010 budget for these services.

D. Alternatives

1. Approve the request to *negotiate a new contract* with Loveless and Loveless.
2. Do not approve - this would incur additional collection cost due to excess travel time for haulers bringing materials to the Richland County C&D landfill from the other side of the County.

E. Recommendation

It is recommended that Council approve the request to negotiate a new contract with Loveless and Loveless.

Recommended by:
Paul F. Alcantar

Department:
Solid Waste Department

Date:
04/ 14 / 09

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: Contingent upon approval of funds in the FY10 budget process.

Procurement

Reviewed by: Rodolfo Callwood

Date: 4-15-09

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: Request for Proposals was solicited and approximately seven Contractors attended the Pre-Proposal Conference; we only received a response from Loveless & Loveless Incorporated (our current Contractor). The singular response was evaluated by an evaluation team comprised of evaluators from Solid Waste and Procurement. I recommend approval for the authority to negotiate and award of a contract.

Legal

Reviewed by: Larry Smith

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments:

Administration

Reviewed by: Tony McDonald

Date: 4/15/09

Recommend Approval

Recommend Denial

No Recommendation

Comments:

Richland County Council Request of Action

Subject

An ordinance amending the Richland County Code of Ordinances; Chapter 18, Offenses; so as to clarify the requirements pertaining to the smoking of tobacco products in the unincorporated area of Richland County

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

Richland County Council Item for Information / Discussion

Subject: Smoking Ban Ordinance Amendments

A. Purpose

Council is requested to approve the Smoking Ban ordinance amendments as presented to clarify Council's intent and provide policy direction to staff and the public.

B. Background / Discussion

At the March 24, 2009 A&F Committee meeting, the Committee requested the following amendments be made to the smoking ban ordinance.

- 1) Does Council intend for businesses that consistently violate the smoking ban ordinance to have the business' business license denied or revoked? If so, how many violations should be documented prior to this action being initiated? If this is Council's intention, specific language to this effect will be needed to be added as a Smoking Ban ordinance amendment.

A business that consistently violates the smoking ban ordinance is to have its business license denied or revoked. If a business is ticketed four times within 3 months, the business license denial or revocation process will be initiated.

- 2) The \$25 civil penalty will be written by whichever Code Enforcement Officer observes the violation. However, there is no direction as to which department shall collect this penalty. Shall this be an administrative department as the County Administrator deems appropriate, or should this be a responsibility of the County Treasurer? It is recommended that this be clarified within the smoking ban ordinance. All infractions punished according to the smoking ban ordinance shall be adjudicated through the State's normal magisterial judicial process, culminating in the collection of any fines levied.

- 3) The ordinance Section 18-6 (h)(3) currently reads "Each day on which a violation of this Section occurs shall be considered a separate and distinct infraction." Is it Council's intention that, once a person or business is written a ticket on a given day, that person or business may continue to smoke or to allow smoking for the remainder of that day, since no additional tickets may be written?

If this is not Council's intention, it is recommended that Council amend this section of the Smoking Ban ordinance to read, "Each incidence of violation (i.e., each person that a business allows to smoke, or each lighted tobacco product) of this Section shall be considered a separate and distinct infraction." Each incidence of violation by an individual or business is to be considered a separate and distinct infraction.

- 4) The current Smoking Ban ordinance does not indicate how much time an offender has to pay the \$25 civil penalty. How many calendar or business days does Council intend to allow a person to pay the penalty before additional enforcement is initiated? What is Council's intention that the additional enforcement should be - a doubling of the civil penalty every ten days, for example? What is Council's intention that the final enforcement action should be,

if no civil penalties are ever paid by a person or a business for a violation?

Council's intentions regarding the payment and enforcement of the civil penalty needs to be added as a Smoking Ban ordinance amendment. All infractions punished according to the smoking ban ordinance shall be adjudicated through the State's normal magisterial judicial process, culminating in the collection of any fines levied.

- 5) Is it Council's intention that every "Workplace shall post a conspicuous sign at the main entrance to the Workplace, which shall contain the words "No Smoking" and the universal symbol for no smoking", as currently required by the ordinance? If so, is this to be considered an infraction as well, with an associated \$25 fine?

If so, language to this effect needs to be added to the Smoking Ban ordinance. If it is not Council's intention that every workplace in the unincorporated County should have this signage, then it is recommended that this language be removed from the ordinance. The owner, manager, or person in control of a Workplace shall post a conspicuous sign at the main entrance to the Workplace, which shall contain the universal symbol for no smoking. Signs shall be no smaller than five inches by five inches.

- 6) What is Council's intention in Section 18-6(h)(3) that "A violation of this Section is furthermore declared to be a public nuisance"? Is a single violation of this section a public nuisance? What is the consequence to the person or to the business of being considered "a public nuisance"? Council is recommended to clarify in the ordinance its intentions with this "public nuisance" language. Recommend the removal of this language. A violation of this Section is furthermore declared to be a public nuisance.

- 7) What is Council's intention or desire regarding the level of enforcement? If every complaint is to be investigated, i.e., sending an inspector out to determine if a violation is witnessed, this may have consequences on staffing levels as well as overtime costs. The Business Service Center will respond to complaints within seven calendar days. Any staff conducting follow-up involving a visit to a business outside of normal working hours will do such follow-up according to a flexible work schedule so that no overtime pay is earned or required to be paid. However, staff reserves the right to request additional overtime funds if the overtime level of enforcement becomes greater than 5 hours per week.

C. Financial Impact

If a business has its business license revoked or denied, there will be a loss of revenue to the County. That loss cannot be determined until such revocation or denial occurs. The number of infractions will determine the revenue brought in to the County via the magisterial judicial process. That amount cannot be determined until violations are adjudicated. The Business Service Center reserves the right to request overtime funds if the overtime level of enforcement becomes greater than 5 hours per week.

D. Alternatives

1. Amend the Smoking Ban ordinance as presented to clarify Council's intentions and to answer important policy questions.

2. Amend the Smoking Ban ordinance differently than presented.
3. Do not amend the Smoking Ban ordinance at this time. This is not recommended.

E. Recommendation

It is recommended that the Smoking Ban ordinance be amended as presented to answer the policy questions that have been raised.

Recommended by: Roxanne Matthews **Department:** Administration **Date:** 4-1-09

F. Reviews

Business Service Center

Reviewed by: Pam Davis

Date: 04/13/09

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: This clarification and amendment to the Smoking Ban ordinance is critical for effective, and consistent, enforcement.

Finance

Reviewed by: Daniel Driggers

Date: 4/13/09

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments:

Legal

Reviewed by: Larry Smith

Date:

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: Items 1-4 are legally sufficient and are left to Council's discretion. Both items reflecting the use of Magistrate system are highly recommended for Council approval in light of the opinion of the Chief Justice.

Under item 6 it is recommended that this language not be removed from the ordinance.

Item 7 is purely a policy decision and left to the discretion of Council.

Administration

Reviewed by: Roxanne Matthews

Date: April 23, 2009

- Recommend Approval
- Recommend Denial
- No Recommendation

Comments: In light of the comments from Legal, staff recommends that the language in Item 6 not be removed from the ordinance. The other items (1-5 and 7) are recommended for approval.

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. XXX-09HR**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES, SO AS TO CLARIFY REQUIREMENTS PERTAINING TO THE SMOKING OF TOBACCO PRODUCTS IN THE UNINCORPORATED AREA OF RICHLAND COUNTY.

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

SECTION I. The Richland County Code of Ordinances, Chapter 18, Offenses, is hereby amended as follows:

Section 18-6. Smoking of tobacco products

(f) Posting of signs The owner, manager, or person in control of a Workplace shall post a conspicuous sign at the main entrance to the Workplace, which shall contain ~~the words “No Smoking” and~~ the universal symbol for no smoking. Signs shall be no smaller than five inches by five inches.

(h) Jurisdiction, Enforcement, and Penalties

3) An infraction is punishable by a fine of twenty-five dollars (\$25). ~~Each day on which a violation of this Section occurs~~ Each incidence of violation of this Section, whether by an individual or by a business, shall be considered a separate and distinct infraction. A violation of this Section is furthermore declared to be a public nuisance. All infractions punished according to this Section shall be adjudicated through the State’s normal magisterial judicial process, culminating in the collection of any fines levied.

4) Businesses that are ticketed four (4) times for any violation(s) of this section within three months are deemed to be habitual offenders and shall have their business license revoked, if one has already been issued, or denied, if a business license application has been received.

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

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

SECTION IV. Effective Date. All sections of this ordinance shall be effective on and after _____.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY

OF _____, 2009

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: May 5, 2009 [Tentative]
Second Reading: May 19, 2009 [Tentative]
Public Hearing: May 19, 2009 [Tentative]
Third Reading: June 2, 2009 [Tentative]

Richland County Council Request of Action

Subject

Intergovernmental Agreement between Richland County and the Town of Blythewood relating to the acceptance and maintenance of public roads and associated drainage systems

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

Richland County Council Request of Action

Subject: The Town of Blythewood Intergovernmental Agreement

A. Purpose

Council is requested to approve an agreement (Intergovernmental Agreement) between Richland County and the Town of Blythewood wherein the County will accept and maintain all public roads and associated drainage conforming to Richland County's standards.

B. Background / Discussion

The Richland County Department of Public Works presently maintains improved and unimproved roads in the Town of Blythewood. The request is for a continuation of services presently provided.

The agreement stipulates that no new roadway construction will be authorized by the town without the review and approval of the County.

C. Financial Impact

Public Works presently performs maintenance on roads and associated drainage within the Town of Blythewood, so continuation of this service would not increase costs to the County in this area.

Public Works does not review plans or inspect new construction in Blythewood. This service would increase work load for the plan reviewers and inspectors, which would not be compensated for through permit fees.

The Town of Blythewood is not an MS4, and the South Carolina Department of Health and Environmental Control (SCDHEC) presently handles storm water permitting and illicit discharge inspection. It is recommended that when SCDHEC requires Blythewood to become a permittee, and if the Town requests the County to manage that program, that it be handled as a separate agreement.

D. Alternatives

There are two alternatives that exist for this project and are as follows:

1. Approve the intergovernmental agreement with the Town of Blythewood.
2. Do not approve the intergovernmental agreement with the Town of Blythewood.

E. Recommendation

It is recommended that Council approve the agreement between the County and Town of Blythewood for the continued maintenance of public roads within the Town.

Recommended by: David Hoops, PE **Department:** Public Works **Date:** 4/20/2009

F. Reviews

Finance

Reviewed by: Daniel Driggers

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:

3. The Town shall not authorize the construction or installation of such improvements until such time as the County has been provided with and approves plans for road or storm drainage installation.

4. The County, upon satisfactory completion of such improvements in accordance with the plans approved by the County, shall agree to maintain such improvements as part of the County system of such improvements. Roads may be dedicated to the County for perpetual maintenance as defined in Section 21-6 of the Richland County Code of Ordinances.

5. The Town agrees that the County shall manage all "C" funds on the Town's behalf and that the Town shall not be permitted to request "C" funds from the County Transportation Committee (CTC) without the written consent of the County.

6. In any and all instances where an ordinance of the Town conflicts, restrains or is unreasonably burdensome to any storm drainage and roadway ordinances of the County that have been adopted by the Town, the County's standards and ordinances shall take precedence since it is hereby declared to be the intent of the parties to give the County exclusive authority regarding the construction and maintenance of roadways and storm drainage improvements within the territorial limits of the Town of Blythewood which lie within the jurisdiction of Richland County.

7. This Agreement shall have a term of four (4) years from the date of execution or until sooner terminated by either party upon such party giving six months written notice to the other party of its intent to terminate this agreement.

8. This Agreement may be amended, modified or changed only upon the written agreement between the County Council for Richland County and the Town Council for Blythewood.

10. The County shall continue to assess, levy, and collect property taxes from the residents of that portion of the Town of Blythewood which lies within the boundaries of Richland County for the above services. Such assessment and levy shall not exceed that which is assessed and levied on property in the unincorporated areas of Richland County. The taxes generated by such assessment and levy shall be designated as an offset to the costs of providing these services and shall constitute the compensation to the County for the undertaking of these services.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and

year first above written.

WITNESSES:

RICHLAND COUNTY

By: _____
Council Chairperson

TOWN OF BLYTHEWOOD

By: _____
Mayor

Richland County Council Request of Action

Subject

Council Motion (Malinowski): Any expenses incurred by Richland County for infrastructure due to development in incorporated areas will be billed to and paid for by the incorporated area creating the expense

Purpose

Background / Discussion

Financial Impact

Alternatives

- 1.
- 2.
- 3.
- 4.
- 5.

Recommendation

**Recommended
By:**

Department:

Date:

Reviews

From: Bill Malinowski
Sent: Monday, March 16, 2009 3:09 PM
To: MILTON POPE; MICHELLE CANNON-FINCH
Subject: motion

Mr. Pope,

I do not know what our regulations are when it comes to incorporated areas of Richland County. If the below motion is already covered then ignore it. If it is not, then I would like this to be my 24 hour notice of a motion to be made at the 3-17-09 council meeting.

Motion

Any expenses incurred by Richland County for infrastructure due to development in incorporated areas will be billed to and paid for by the incorporated area creating the expense.