

**RICHLAND COUNTY COUNCIL
REGULAR SESSION
JANUARY 22, 2008
6:00 P.M.**

CALL TO ORDER **Honorable Joseph McEachern,
Chairman**

INVOCATION **Honorable Michael Montgomery**

PLEDGE OF ALLEGIANCE **Honorable Michael Montgomery**

PRESENTATIONS: **CASA**

RESOLUTIONS: **EMS Defibrillators Resolution**
**Blythewood High School Bengals
Football Team Resolution**

ADOPTION OF AGENDA

CITIZEN’S INPUT

APPROVAL OF MINUTES

Regular Session: January 8, 2008 [PAGES 4-10]

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

REPORT OF THE COUNTY ADMINISTRATOR

- 1. Riverside Property Purchase: Funding Recommendations**
- 2. Retreat: Thursday, January 31-February 2, 2008 Madren Conference Center, Clemson, SC**
- 3. Billboards Update**
- 4. Farmers’ Market Update**
- 5. Lower Richland Sewer Service**

REPORT OF THE CLERK OF COUNCIL

REPORT OF THE CHAIRMAN

OPEN/CLOSE PUBLIC HEARING ITEMS

1.A., 1.B., 1.C.

APPROVAL OF CONSENT ITEMS

1.A., 1.B., 1.C., 2.A.,

1. THIRD READING ITEMS

- a. An Ordinance establishing a temporary moratorium on approval of floodplain management permits for development or construction within a portion of the Congaree River floodplain [PUBLIC HEARING] [CONSENT] [PAGES 11-12]**
- b. An Ordinance amending the fiscal year 2007-2008 general fund annual budget to amend section 23 and appropriate fund balance based on special duty administrative fees collected in FY'08 over the cost of the program from services rendered in FY'07 in the amount of one hundred eighty-four thousand nine hundred and ten dollars (\$184,910) to purchase non-lethal taser equipment and training for the Sheriff's Department [PUBLIC HEARING] [CONSENT] [PAGES 13-14]**
- c. An Ordinance amending the fiscal year 2007-2008 budget to fund a new computer aided dispatch system (CAD) and 911 telephone system [PUBLIC HEARING] [CONSENT] [PAGES 15-17]**

2. SECOND READING ITEM

- a. An Ordinance authorizing extension of lease with the Richland County Recreation Commission regarding Ballentine Park [CONSENT] [PAGES 18-22]**

3. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE [PAGES 23-24]

1. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- A. Accommodations Tax Advisory Committee-1**
- B. Business Service Center Appeals Board-5 [PAGES 25-29]**

C. Employee Grievance Committee-2

D. Internal Audit Committee-1

II. DISCUSSION ITEMS

E. Motions Made During Motion Period (Rule Change)

F. Presentations (Rule Change)

G. Business Service Center Appeals Board (Possible Change to the Ordinance)

4. Lower Richland Sewer Service

5. APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY [PAGES 30-32]

**a. Linda R. Jacobs
521 Quail Hills Drive
Hopkins, South Carolina 29061
District 11 – Jackson**

6. MOTION PERIOD

A. Work Session regarding Ordinance amending Floodplain Overlay District (Clerk's recommendation 01/29/08 3:00 p.m.)

7. ADJOURNMENT

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JANUARY 8, 2008 6:00 p.m.

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	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Joseph Kocy, Anna Almeida, Jennie Sherry-Linder, Geo Price, Audrey Shifflett, Daniel Driggers, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

INVOCATION

The Invocation was given by the Honorable Joyce Dickerson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

ELECTION OF CHAIRPERSON

Mr. Jackson moved, seconded by Ms. Dickerson, to retain the current Chairman. The vote in favor was unanimous.

ELECTION OF VICE-CHAIRPERSON

Mr. Jackson moved, seconded by Ms. Dickerson, to retain the current Vice-Chair. The vote in favor was unanimous.

SELECTION OF SEATS

Mr. McEachern stated the next order of business was the selection of seats.

(The selection of seats was taken up by seniority and continued in alphabetical order.)

The seats were selected from left to right as follows:

1. Pearce
2. Malinowski
3. Jackson
4. Jeter
5. Hutchinson
6. McEachern
7. Livingston
8. Dickerson
9. Smith
10. Scott
11. Montgomery

ADOPTION OF AGENDA

Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the agenda as distributed.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: December 18, 2007 – Ms. Scott moved, seconded by Mr. Jackson, to amend the portion of the minutes regarding the Farmers' Market Resolution to delete the amendment made during the December 18, 2007 Council meeting with regards to the Pineview location.

Ms. Dickerson stated for the record that Mr. Shelley understood a tree buffer was to be kept in regards to the Ashley Oaks Development (Case #07-52MA).

POINT OF ORDER – Ms. Smith stated that the portion of the minutes relating to the Farmers' Market Resolution should be reconsidered.

Ms. Scott moved, seconded by Mr. Jackson, to reconsider the portion of the minutes relating to the Farmers' Market Resolution. The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Mr. Jackson, to approve the minutes as corrected. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **HBA vs. Richland County**
- b. **Offer to Purchase Property**
- c. **Farmers' Market**
- d. **Potential Claim/Court**
- e. **Employee Grievances (2)**

REPORT OF THE COUNTY ADMINISTRATOR

Council Retreat – Mr. Pope stated that a draft agenda for the Council Retreat had been e-mailed out to Council and if there were any questions or concerns to please forward them to staff.

City of Cayce Annexation – Mr. Pope stated that he and Mr. Smith had met with representatives from the City of Cayce and received a formal letter from them requesting a dialogue with Richland County regarding an intergovernmental agreement and services.

Employee Grievances (2) – Ms. Dickerson moved, seconded by Mr. Jeter, to accept the Administrator's recommendation. The vote in favor was unanimous.

Incorporation Work Session – Mr. Pope stated that a work session had been scheduled for January 15th at 3:00 p.m. and the information had been forwarded to

Council. *[The date for this work session was rescheduled for January 22nd from 3:00-4:30 p.m. due to a scheduling conflict.]*

Update on Lower Richland Sewer – Mr. Pope stated that he had received a response back from the City of Columbia stating that they would prefer to have the County amend their 208 Plan and allow the City to serve that particular area. Mr. Pope stated he would like to send a second proposal to the City before the January 22nd meeting.

January D&S Meeting Schedule – Mr. Pope stated that the D&S agenda is extremely long and staff has requested that the meeting time be adjusted to accommodate the lengthy agenda.

Paul Moses Passing – Mr. Pope stated that Paul Moses, a longtime Richland County Sheriff's Department employee, passed away. Funeral arrangements are pending.

REPORT OF THE CLERK OF COUNCIL

Council Retreat—Transportation – Ms. Finch stated that a 15-passenger van had been reserved for Council and that a departure time would be announced at the next Council meeting.

SCAC Institute of Government – Ms. Finch stated that the SCAC Institute of Government will be held on February 13th and 14th at the Embassy Suites Hotel.

City of Columbia Legislative Reception – Ms. Finch stated that the City of Columbia Legislative Reception will be held January 9th from 6:00-9:00 p.m. at EdVenture Children's Museum. Transportation service will be available to and from the State House from 5:45-9:15 p.m.

Update on Agenda Software – Ms. Finch stated that IT was still in the testing phase of this project. IT believes that a test run may be possible in March.

2008 Wall Calendars – Ms. Finch stated that she had wall calendars available.

Mobile, AL "Together We Can" Trip – Ms. Finch stated that the City of Columbia and the Richland One School Board have partnered with the District A + Schools Program to assist all District schools. The "Together We Can" partnership is patterned after a successful program in Mobile, Alabama and the Columbia City Council and Richland One School Board have invited Council to join them on a site visit to Mobile on January 15-17th. Any Council members interested in attending were asked to contact the Clerk as soon as possible.

REPORT OF THE CHAIRMAN

Mobile, AL “Together We Can” Trip – Mr. McEachern stated that the City of Columbia was sponsoring the trip to promote collaboration with all the entities.

Tribute to Senator Kay Patterson – Mr. McEachern stated that the Richland County Education Association’s Legislative Reception tribute to Senator Kay Patterson would be held Wednesday, January 16th from 6:00-8:00 p.m. at Logan Elementary, 815 Elmwood Avenue.

PUBLIC HEARING ITEMS

- **South Carolina Jobs-Economic Development Authority Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. Project)** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **Sheriff’s Department: Request to approve the rollover and expenditure of \$184,909.60 of Special Duty Administrative fees billed in FY 2006-2007 and collected after July 1, 2007 for the purpose of purchasing non-lethal Taser Equipment and Training** – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve this item for Second Reading. The vote in favor was unanimous.

THIRD READING ITEMS

An Ordinance amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; and Section 23-71, Oversight and Accountability – Mr. Pearce moved, seconded by Ms. Dickerson, to approve the amended ordinance. A discussion took place.

The vote in favor was unanimous.

Ballentine Park Property Lease Agreement – Mr. Malinowski moved, seconded by Ms. Hutchinson, to give First Reading to this item. The vote in favor was unanimous.

South Carolina Jobs-Economic Development Authority Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. Project) – Mr. Montgomery moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

CITIZENS’ INPUT

No one signed up to speak.

Resolution for Farmers' Market – Ms. Scott moved, seconded by Mr. Malinowski, to delete the amendment to the resolution approved at the December 18, 2007 meeting with regards to the Pineview location. The vote in favor was unanimous.

EXECUTIVE SESSION ITEMS

Mr. Jackson moved, seconded by Mr. Jeter, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 6:32 p.m. and came out at approximately 7:11 p.m.
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- a. **HBA vs. Richland County** – No action taken.
- b. **Offer to Purchase Property** – No action was taken.
- c. **Farmers' Market** – Mr. Jeter moved, seconded by Ms. Scott, to direct the Chair to form a joint committee with the Legislative Delegation to deal with issues related to the Farmers' Market. The vote in favor was unanimous.
- d. **Potential Claim/Court** – No action was taken.

MOTION PERIOD

Resolution Honoring Paramedics' Heroic Acts at Clemson/Carolina Game – Mr. Pearce moved, seconded by Ms. Scott, to honor the heroic acts of the Richland County EMS at the Clemson/Carolina game in saving a man's life by using the newly acquired defibrillators.

Designating Richland County Office Buildings as Non-Smoking – Ms. Scott moved, seconded by Mr. Jackson, to designate all Richland County office buildings as non-smoking. The vote in favor was unanimous.

Approval of a Resolution in support of establishing a Post Office for the Pontiac Area – Ms. Hutchinson moved, seconded by Ms. Scott, to direct staff to research a resolution in support of establishing a post office for the Pontiac area.

ADJOURNMENT

The meeting adjourned at approximately 7:21 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-08HR**

AN ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON APPROVAL OF FLOODPLAIN MANAGEMENT PERMITS FOR DEVELOPMENT OR CONSTRUCTION WITHIN A PORTION OF THE CONGAREE RIVER FLOODPLAIN.

WHEREAS, Richland County is a participating community in the National Flood Insurance Program (“NFIP”) administered by the Federal Emergency Management Agency (“FEMA”). Pursuant to 44 C.F.R. § 60.3, FEMA must provide a participating community with data upon which floodplain management regulations shall be based. To be a participating community, Richland County is required by 44 C.F.R. § 60.2(h), to adopt and apply this data for enforcement of floodplain management regulations in unincorporated Richland County; and

WHEREAS, on November 18, 2005, the United States District Court, South Carolina Division, in the case of *Columbia Venture v. Federal Emergency Management Agency*, Case Number 3:01-4100-MBS, entered a written Order vacating the Congaree River base flood elevations as revised by the Federal Emergency Management Agency (“FEMA”) on August 20, 2001 and effective on February 20, 2002; and

WHEREAS, subsequently, on November 2, 2007, the Court clarified its November 18, 2005 Order of Vacatur by explaining that its Order also vacated the Congaree River floodways issued by FEMA on August 20, 2001 and effective February 20, 2002. The Court further ordered the parties to the above-captioned case to attempt resolution of process issues raised by this recent clarification; and

WHEREAS, a moratorium on construction and development in flood-prone areas of the Congaree River Floodplain is needed to protect public health, safety and welfare, and to allow the County time to determine what actions may be needed to maintain compliance with the NFIP.

THEREFORE, BE IT ENACTED THAT:

SECTION I. Richland County Council hereby declares a moratorium on the approval or denial of any permit submitted to Richland County for construction, development, zoning, building, disturbance of land, or for stormwater management purposes, as defined within Chapter 26 of the Richland County Code of Ordinances, on property located in a flood-prone area within the Congaree River Floodplain.

Congaree River Floodplain means the geographic area shown on Flood Insurance Rate Map panels 0091, 0092, 0094, 0160, 0178 and 0190 for Unincorporated Richland County.

Flood-prone means any land area susceptible to being inundated by water from the overflow of inland waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

This moratorium does not apply to permit applications for maintenance of existing structures, levees or buildings.

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

SECTION III. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are superseded during the time this Ordinance is effective.

SECTION IV. This Ordinance shall be effective immediately upon adoption by Richland County Council.

SECTION V. This Ordinance shall expire six (6) months following the date of adoption of this Ordinance, or until rescinded by Richland County Council, whichever is earlier.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

Attest this the _____ day of
_____, 2008

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: November 20, 2007
Second Reading: December 4, 2007
Public Hearing: January 22, 2008 (tentative)
Third Reading: January 22, 2008 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-08HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2007-2008 GENERAL FUND ANNUAL BUDGET TO AMEND SECTION 23 AND APPROPRIATE FUND BALANCE BASED ON SPECIAL DUTY ADMINISTRATIVE FEES COLLECTED IN FY08 OVER THE COST OF THE PROGRAM FROM SERVICES RENDERED IN FY07 IN THE AMOUNT OF ONE HUNDRED EIGHTY-FOUR THOUSAND NINE HUNDRED AND TEN DOLLARS (\$184,910) TO PURCHASE NON-LETHAL TASER EQUIPMENT AND TRAINING FOR THE SHERIFF'S DEPARTMENT.

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

SECTION I. That the amount of one hundred eighty-four thousand nine hundred and ten dollars (\$184,910) be appropriated to the FY 2007-2008 Sheriff Department Budget. Therefore, the Fiscal Year 2007-2008 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$ 126,747,449
Appropriation of General Fund undesignated fund balance	<u>184,910</u>
Total General Fund Revenue as Amended:	\$ 126,932,359

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$ 126,747,449
Increase to Sheriff Department Budget:	<u>184,910</u>
Total General Fund Expenditures as Amended:	\$ 126,932,359

Section 23: Richland County hereby amends the Administrative Service Fee from \$5.00 per hour to \$10.00 per hour effective January 1, 2008, to be collected by the Sheriff from all parties who request special duty services, and which are authorized by the Sheriff for the duration of fiscal year 2007-2008 only. Funds collected by the Sheriff that are derived from the \$10.00 per hour administrative fee for special duty services shall be deposited on a per deposit basis as follows: an amount equal to \$5.00 per hour directly into a Sheriff Administrative Fee revenue account in the General Fund and an amount equal to \$5.00 per hour directly into a like account in the Victim's Assistance Fund. This revenue generated by the \$5.00 per hour remaining in the general fund will be used to offset the cost of the special duty program first to include additional use of petrol oil and lubricants, and for the cost of administrative management of special duty assignments.

The Sheriff and Finance Director will assess the status of fees collected and deposited in the general fund through the Special Duty Program for services provided during fiscal year 2008 on or about August 15, 2008. After considering the cost recovery of the program any excess funds collected and deposited by July 31, 2008 over program cost shall be made available to the sheriff department as a budget increase in FY09 and be reflected as a budgeted use of fund balance. Any funds deposited after July 31, 2008 shall not be available for use until the program evaluation the following fiscal year. In the event program costs are not recovered from current deposits the deficit amount will be recovered from the first deposits of the subsequent fiscal year until all cost are recovered. This automatic re-budgeting shall not require a supplemental budget ordinance. Continuation of the Special Duty Program and associated fees shall be evaluated each year during the budget process.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE _____ DAY
OF _____, 2008

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: December 18, 2007
Second Reading: January 8, 2008
Public Hearing: January 22, 2008 (tentative)
Third Reading: January 22, 2008 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-08HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2007-2008 BUDGET TO
FUND A NEW COMPUTER AIDED DISPATCH SYSTEM (CAD) AND 911
TELEPHONE SYSTEM.

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

SECTION I. That the amount of three million dollars (\$3,000,000) be appropriated from the Fiscal Year 2007-2008 General Fund Annual Budget to transfer to the Fiscal Year 2007-2008 Emergency Telephone Service Fund Annual Budget.

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$ 126,747,449
Appropriation of General Fund undesignated fund balance	3,000,000
Transfer to Emergency Telephone Service Budget	<u>(3,000,000)</u>
Total General Fund Revenue as Amended:	\$ 126,747,449

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$ 126,747,449
Change in General Fund Expenditure Budget:	<u>-0-</u>
Total General Fund Expenditures as Amended:	\$ 126,747,449

That the amount of two million dollars (\$2,000,000) be appropriated from the Fiscal Year 2007-2008 Fire Service Fund Annual Budget to transfer to the Fiscal Year 2007-2008 Emergency Telephone Service Fund Annual Budget.

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$ 16,560,500
Appropriation of Fire Service undesignated fund balance	2,000,000
Transfer to Emergency Telephone Service Budget	<u>(2,000,000)</u>
Total Fire Service Revenue as Amended:	\$ 16,560,500

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$ 16,560,500
Change in Fire Service Expenditure Budget:	<u> -0-</u>
Total Fire Service Expenditures as Amended:	\$ 16,560,500

Therefore, the Fiscal Year 2007-2008 Emergency Telephone Service Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2007 as amended:	\$ 3,319,134
Appropriation of fund balance from Fire Service Fund	2,000,000
Appropriation of fund balance from General Fund	<u>3,000,000</u>
Total Emergency Telephone Service Revenue as Amended:	\$ 8,319,134

EXPENDITURES

Expenditures appropriated July 1, 2007 as amended:	\$ 3,319,134
Increase in Emergency Telephone Service Budget:	<u>5,000,000</u>
Total Emergency Telephone Service Expenditures as Amended:	\$ 8,319,134

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2008

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: December 4, 2007
Second Reading: December 18, 2007
Public Hearing: January 22, 2008 (tentative)
Third Reading: January 22, 2008 (tentative)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-08HR

AN ORDINANCE AUTHORIZING AN EXTENSION OF THE LEASE BETWEEN RICHLAND COUNTY AND THE RICHLAND COUNTY RECREATION COMMISSION FOR BALLENTINE PARK.

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

SECTION I. There is hereby authorized the extension of the Lease between Richland County and the Richland County Recreation Commission, dated September 20, 1978 and the Addendum authorized by Ordinance No. 070-94HR, dated October 4, 1994, providing for the leasing of certain property lying and being near Ballentine, South Carolina, for use as a park. Said extension shall be for an additional Twenty-five (25) years from and after September 27, 2023, the date of the expiration of the Addendum to the original Lease.

SECTION II. The consideration for the leasing of the property shall be the sum of One dollar (\$1.00) for the additional Twenty-five year period.

SECTION III. A copy of the Addendum to the Lease, setting forth the terms and conditions of the extension, is attached hereto and incorporated herein.

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

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

SECTION VI. Effective Date. This ordinance shall be enforced from and after _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST this the ____ day of _____, 2008.

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: January 8, 2008
Second Reading: January 22, 2008 (tentative)
Public Hearing:
Third Reading:

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND) Second Addendum

THIS SECOND ADDENDUM entered into this ____ day of _____, 2008, by and between Richland County, South Carolina, (hereinafter referred to as Lessor) and the Richland County Recreation Commission (hereinafter referred to as Lessee).

WHEREAS, the Lessor and the Lessee entered into a Lease, dated September 20, 1978 and an Addendum authorized by Ordinance No. 070-94HR, dated October 4, 1994, providing for the leasing of certain property lying and being near Ballentine, South Carolina, to be used as a park; and

WHEREAS, the Lease expires on September 27, 2023; however, the Lessee has requested that the Lessor agree to extend the Lease and Addendum for an additional twenty-five (25) year period so that the Lessee may receive grants for the placement of playground equipment at the park.

NOW, THEREFORE, upon mutual agreement of the parties:

1. The Lessor hereby agrees to extend the Lease and Addendum for an additional twenty-five (25) years from and after September 27, 2023, the date of the expiration of the Addendum to the original Lease.

2. The Lessee hereby agrees to pay Lessor the sum of One (\$1.00) Dollar for the additional twenty-five (25) year period.

3. Throughout the life of this Lease Agreement, Lessee agrees to maintain at its expense a commercial general liability policy with coverage sufficient to meet the limits under the South Carolina Tort Claims Act in Section 15-78-120 (a) (1) and (2), as may be amended, or a comparable self-funded liability program, which will cover all claims of injury, damage or

destruction to persons or property arising out of the co-curricular and/or recreational use or other activity on the leased property. The policy will be issued by an insurer rated A or better by Best's or a comparable rating service. Lessee shall provide annual proof of insurance and worker's compensation coverage to Lessor.

4. Lessee shall require proof of liability and worker's compensation coverage from any third-parties using the property who are not a party to this Lease.

5. This Lease and any Addendums shall automatically terminate upon the occurrence of any of the following:

a) Lessee fails to maintain the required insurance coverage on the property for any continuous thirty (30) day period.

b) Lessee fails to utilize the property for recreational purposes for any continuous 180 day period. For the purpose of this section, utilization does not include use by third-parties not subject to this Lease and any Addendums.

6. This Lease and Addendums may be terminated by either party with ninety (90) days written notice to the other party.

SIGNED AND SEALED by the parties hereto on the date first above written.

{Signature Page Follows}

WITNESSES:

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Chair, Richland County Council

RICHLAND COUNTY RECREATION
COMMISSION

By: _____
Its: _____

Richland County Council Rules and Appointments Committee



Mike Montgomery
Chair
District Eight

Paul Livingston
District Four

Bill Malinowski
District One

Staffed by:

Monique Walters
Assistant to the Clerk of
Council

RICHLAND COUNTY COUNCIL
REGULAR SESSION MEETING
JANUARY 22, 2008

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- A. Accommodations Tax Advisory Committee-1
There one appointment to be made to this committee for the cultural position; no applications were received.
- B. Business Service Center Appeals Board-5
There are five appointments to be made to this newly created board. One application has been received from the following person:

Rhondra O. Willis, Business/Entrepreneurship and Business/Research Consultant/Nonprofit Founder and Executive
- C. Employee Grievance Committee-2
There is one appointment to be made to this committee. No applications have been received at this time.
- D. Internal Audit Committee-1
There is one appointment to be made to this board; no applications were received.

II. DISCUSSION ITEMS

- E. Motions Made During Motion Period (Rule Change)
- F. Presentations (Rule Change)

G. Business Service Center Appeals Board (Possible Change to the Ordinance)

Report prepared and submitted by:
Monique Walters, Assistant to the Clerk of Council



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Rhondra O. Willis

Home Address: 7911 Pine Lake Road, Columbia, SC 29223

Telephone: (home) (803).865.6289 (work) (803).238.2918

Office Address: 398 Shaw Drive Shaw AFB, SC 29152

Email Address: rhondra.willis@hotmail.com or rhondra.willis@saintleo.edu

Educational Background: APS, BA, MBA, Ph.D. (c)

Professional Background: College Educator (7 years – Business/Entrepreneurship) and
Business/Research Consultant/Nonprofit Founder and Executive

Male

Female

Age: 18-25

26-50

Over 50

Name of Committee in which interested: Business Service Center

Reason for interest: I am college professor in the areas of business, international business,
management, and entrepreneurship and as a small business owner.

Your characteristics/qualifications, which would be an asset to Committee/Board/ Commission:
I am team player who understands many complex aspects of business and I have a long history
of community service.

Presently serve on any County Board/Commission/Committee? No

Any other information you wish to give? See Attached Documentation _____

Recommended by Council Member(s): _____

Hours willing to commit each month: Open

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the board for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The

Clerk of Council shall be notified of any change on an annual basis and members of all boards shall be required to abstain from voting or influencing through discussion or debate or any other way, decisions of the board affecting these personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge it is true and complete.

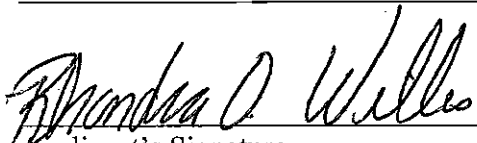
Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Board or Commission, as the County Council, by majority vote of the council, shall elect.

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the board?

Yes _____ No X _____

If so, describe: _____


Applicant's Signature

14 January 2008
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each committee on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	26 of 32

RHONDRA O. WILLIS

7911 Pine Lake Road - Columbia, South Carolina 29223
(803). 865.6289 Home - (803).238.2918 Mobile
e-mail: rhondrawillis@hotmail.com

SUMMARY OF QUALIFICATIONS

Highly accomplished professional with proven success in leading and directing multi-skilled teams in complex projects. Articulate, established researcher and policy analyst with ability to build and cultivate collaborative bridges. Research areas include: economic impact analysis, education, international business, social capital, rage in secondary schools, transportation, economic impact, social capital, dating violence, youth violence, HIV/AIDS, and leadership. Background includes successfully communicating complex ideas to large and diverse audiences. Capability and resource building ability evidenced in the development and operation of a 501 (c) 3 nonprofit and consulting firm. Professional experience and activities include academic teaching, federal grant reviewing, federal contracting, national speaker, and research consultant/evaluator. Willing to relocate and travel extensively.

EDUCATION

Ph.D. (c)	Walden University	2008	Leadership and Organizational Change
MBA	Webster University	2001	Business Administration
BA	University of South Carolina	1998	Interdisciplinary Studies
APS	Midlands Technical College	1996	Legal Studies

ENTREPRENEURSHIP AND POLICY EXPERIENCE

- **Executive Director**, 5/00- Present
Vision Leadership Institute
- **Founder and President**, 5/04 – Present
Nicole Group, Inc.

ACADEMIC AND RESEARCH APPOINTMENTS

- **Instructor, San Diego City College**, 5/07- Present
- **Assistant Professor, School of Business, Saint Leo University**, 6/05 – Present
- **Adjunct Professor, Excel Program, Allen University**, 8/04 – 5/05
- **Adjunct Professor, Continuing Education, Claflin University**, 8/01 – 5/02
- **Research Consultant, Darla Moore School of Business, University of South Carolina** 10/04 – Present
- **Research Associate/Special Projects Coordinator, Violence and Substance Prevention Center University of South Carolina**, 03/02 – 09/04
- **Instructor, Business and Economics Department, Allen University, Columbia, South Carolina**, 9/01 – 07/05

WORKSHOP AND PRESENTATION ACTIVITIES

- **2007 Minority Women’s Health Summit**, Panelist, Violence Against Women Institute
- **2007 Minority Women’s Health Summit**, Workshop Presenter, “Rapidly Developing Cultural Competency in HIV/AIDS Interventions”
- **A Family Affair (AFA)**, Program Evaluator – SISTA Program (2007)
- **South Carolina Department of Health and Human Services**, Presentation – F.A.C.E.S: A Statewide Approach (2006)

- **Daniel Circle Chapel**, Guest Speaker – “The Birth of Royalty” Youth Conference (2006)
- **National Association for the Advancement of Colored People**, Presenter, “Creative Funding Strategies” – South Carolina State Conference (2006)
- **Crestwood High School**, Presenter– Leadership Communication (2006)
- **American Association of University of Women (AAUW)**, Presenter, Leadership - Sister-to-Sister Summit (2004)
- **University of South Carolina – Women’s Studies Program/Annual Conference**, Presenter - How We See Ourselves, How Others See Us, and Daring to Balance Freedom (2004)
- **SE Violence and Substance Abuse Prevention Center, University of South Carolina**, Presenter – Leadership Communication, 10th Annual Summer Institute (2003)
- **Richland and Lexington Five School District**, Core Committee Member - Behavior and Dress Policy (2003)
- **University of South Carolina, Women’s Studies Program**, Guest Lecturer - Women Activists (2003)
- **Richland and Lexington Five School District – Leadership Academy 2003**, Instructor - Leadership Communication (2003)
- **Youth Build – Haven of Change/Benedict College**, Instructor - Personal Finance (2003)
- **United States Department of Health and Human Services, Young Women’s Health Summit South Carolina Mentor** (2000 – 2001)
- **Allen University**, Presenter - Student Leadership Workshop Part II, Leadership Communication (2001)

COMMITTEE WORK

- **United States Department of Health and Human Services**, Young Women’s Health Summit, Educational Materials Committee (2002)
- **SE Violence and Substance Abuse Prevention Center, University of South Carolina**, South Carolina Youth Network Executive Committee (2002 - 2004)
- **University of South Carolina, School of Public Health**, Youth Empowerment Advisory Committee (2001)

PUBLICATIONS

USDHHS – Office of Women’s Health, *Dating Violence in South Carolina*, 2007
 South Carolina Family Service Center, *Outcome Learning Manuals*, 2006
 University of South Carolina, *Economic Impact of Women in South Carolina*, 2005
 Authors: Sandra Teel, Ph.D., Don Shrunk, Ph.D, Rhondra O. Willis, MBA (research)
 University of South Carolina, 11th Annual Youth Policy Leadership Summer Institute, 2004
 University of South Carolina, Youth Leaders Lobbying Washington, Assessment, 2003

CONTINUING EDUCATION

2007 National Minority Women’s Health Summit, 22 Hours
 Faculty Development, International Management, University of South Carolina, Summer 2007
 HIV/AIDS 101, South Carolina Department of Health and Environmental Services, 2006
 Estrada for Faculty, Saint Leo University, Fall 2006
 Online Faculty Evaluation Training, Saint Leo University, Fall 2006
 PIE Course Development, Saint Leo University, Fall 2006
 Six Sigma Coursework, Saint Leo University Fall 2006
 SISTA Certification, South Carolina Department of Health and Environmental Services, 2006
 WebCT Training, Saint Leo University, Fall 2005
 Video Teleconference/Teaching Training (VTT), Saint Leo University, Spring 2005
 Socrates Online Facilitator Training Program, South University, Spring 2005
 Health Disparities, 3.0 hours, Fall 2004, University of South Carolina
 Social Work, Marriage & Family Therapy, 6.0 hours,
 Young Women’s Health Summit, 3.0 hours

PROFESSIONAL REFERENCES

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RCCBETH@aol.com

**APPLICATION FOR LOCATING A COMMUNITY
RESIDENTIAL CARE FACILITY IN AN
UNINCORPORATED AREA OF RICHLAND COUNTY**

To the Chairperson of Richland County Council:

The undersigned hereby respectfully requests that the Richland County Council approve the location of a community care home in Richland County, South Carolina, pursuant to Chapter 7 of Title 44 of the 1976 State Code of Laws, as described below. (Be advised that final approval of all community care homes rests with licensing by the State Department of Health and Human Services.)

Applicant must be the director of the proposed facility.

1. Applicant's Name: LINDA R. Jacobs
2. Applicant's Address: P.O. Box 111 (236 Nazery Cir.)
Hopkins, SC 29061
3. Applicant's Telephone: Home: (803) 776-4462 Office: 605 6285 cell

4. Location of proposed community care home:

Street address: 521 Quail Hills Drive

City, Zip: Hopkins, SC²⁹⁰⁶¹ Tax Map Number: 461-4062448-703 page 11

5. Do you own the building that will house the proposed community care home?

YES NO

If "NO," do you have an option to buy the property or, if renting, do you have a lease agreement with the owner? Please state which arrangement you currently have, and also list the name, address, and phone number of the current owner and/or lessor.

I can rent with option to buy. Ralph Jayson Jacobs
521 Quail Hills DR. Hopkins, SC 29061 (803) 776-4048

6. If you are leasing the property, has the lessor granted authority to establish a community care home on the property? YES NO

7. Will the proposed community care home be established in your current permanent residence? YES NO

8. How many bedrooms and bathrooms does the proposed community care home have? Bedrooms 3 Bathrooms 2

9. How many resident clients will be housed in this proposed community care home? 4 or 5 Nine or less Ten or more

10. Describe the type of resident clients to be housed in this proposed facility (senior citizens or children, physically or mentally disabled, etc.)

There will be no children. The clients maybe physically or mildly mentally challenged. Non-violent.

11. How many full-time and part-time staff will care for the resident clients of the proposed community care home? Full-Time 3 Part-Time 2

12. How many total persons will occupy the proposed community care home during the night? (Include resident clients, staff, staff family, applicant, applicant's family, etc. as applicable.) Total Persons 6 max.

13. Do you currently operate any other community care facilities in Richland County? YES NO

If you do, list the location, year licensed, and number of resident clients for each facility:

Street Address	Year Licensed	# of Residents
Street Address	Year Licensed	# of Residents

14. Have you ever had a license revoked for any type of residential health care facility located in South Carolina? YES NO

I hereby certify that if granted approval from Richland County Council to locate a community care home as described above, I will fully comply with all regulations of the appropriate state licensing and regulatory agency or agencies, the State Fire Marshal's Office, and Health Department Officials which apply to community care facilities in establishing and obtaining licensing for my community care home.

I also certify that all of the above information is correct to the best of my knowledge.

Linda R. Jacobs
Signature of Applicant

1-4-08
Date

521 Quail Hills Drive (District 11)



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 Richland County GIS
 2020 Hampton St.
 Columbia, SC 29204



Legend

- ⊔ County Boundary
- ▲ Private Schools
- ▲ Public Schools
- Police Stations
- Fire Stations
- County Assets
- Daycares
- ~ Streets
- ◇ Buildings
- ≡ 2 Ft. Contours
- ~ Streams
- Lakes
- ⊔ Council Districts
- Zip Codes

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

PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a licensing agreement.