

# **RICHLAND COUNTY**

## **DEVELOPMENT & SERVICES COMMITTEE AGENDA**



**TUESDAY, SEPTEMBER 26, 2017**

**5 P.M.**

**4<sup>th</sup> FLOOR CONFERENCE ROOM**

# RICHLAND COUNTY COUNCIL 2017-2018



**VICE CHAIR**  
Bill Malinowski  
District 1



**CHAIR**  
Joyce Dickerson  
District 2



Yvonne McBride  
District 3



Paul Livingston  
District 4



Seth Rose  
District 5



Greg Pearce  
District 6



Gwendolyn Kennedy  
District 7



Jim Manning  
District 8



Calvin "Chip" Jackson  
District 9



Dalhi Myers  
District 10



Norman Jackson  
District 11



Richland County Development & Services Committee

September 26, 2017 – 5:00 PM  
4<sup>th</sup> Floor Conference Room  
2020 Hampton Street, Columbia, SC 29201

Yvonne McBride District 3	Gwen Kennedy District 7	Seth Rose (Chair) District 5	Chip Jackson District 9	Dalhi Myers District 10
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1. **CALL TO ORDER** The Honorable Seth Rose, Chair,  
Development & Services Committee
  
2. **APPROVAL OF MINUTES** The Honorable Seth Rose
  - a. Development & Services Committee Meeting: July 25, 2017  
[PAGES 1 - 5]
  
3. **ADOPTION OF AGENDA** The Honorable Seth Rose
  
4. **ITEMS FOR ACTION** The Honorable Seth Rose
  - a. Quit-Claim Deed: 1209 Whitney Street [PAGES 6 - 11]
  
5. **ITEMS PENDING ANALYSIS**
  - a. Council Motion: Require that all municipal utility service providers must request consent and approval from Richland County Council prior to extending or accepting water and sewer infrastructure within the unincorporated boundaries of Richland County [Malinowski]
  
  - b. Council Motion: Develop an emergency plan with SCDOT to immediately repair Rabbit Run Road and Bitternut Road. Developers' constant neglect to repair the storm drainage system causes dangerous flooding. A school bus almost overturned in the flood this morning (April 24, 2017) on Rabbit Run Road. We cannot afford to endanger the lives of citizens, especially school children because of neglect [N. Jackson]
  
  - c. Council Motion: Direct staff to research changing the ordinance relating to water runoff so in the future it will require environmental studies and not allow any runoff that exceeds the current runoff from the undeveloped property. This motion should be reviewed/completed and provided to the Planning Commission no later than their June meeting [Malinowski]

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Note: Pursuant to Council Rules, Council will record non-electronic roll call voting for all votes that are not unanimous for second and third reading or one time votes; and which are not merely procedural in nature.

- d. Council Motion: If Developers, Builders, etc. cause any hardship on any community due to poor workmanship or unapproved or unpermitted work of any kind that fails, all of their building permits should be pulled and the builder not allowed to build until they fix the problem(s). The homeowners, nor the citizens, should have to pay to fix poor workmanship [N. Jackson]
- e. Council Motion: HOA's operated by developers or management firms should be fined if due to their poor management, and not that of the homeowners, it causes a hardship on the homeowners or community. NOTE: There are improperly maintained detention ponds that have trees growing in them which causes flooding during a bad storm [Jackson]
- f. Council Motion: Direct Legal to research what is required to enact a parking ordinance in communities/subdivisions [McBride]
- g. Council Motion: If an employee is in need of sick leave, any employee can donate that leave to a specific person and not just a sharing pool [Malinowski]
- h. Council Motion: Move to examine the EMS Department and receive a report on its current status [Rose]
- i. To simplify the emergency preparedness process in the future, I move that Richland County coordinate with the City of Columbia and other municipalities to identify different types of emergency shelters/facilities and certify them, meaning what is required and the readiness of the facility factoring in accessibility due to potential obstructions i.e. impassible bridges, roads etc. Working with recreation centers, school districts, churches and other civic centers to qualify and certify these facilities to accommodate citizens in need during certain crisis. In this process each certified facility would be updated annually. Working with Councilmembers willing to participate from each district would also improve the process.  
Note: Shelters to include overnight stay, storage and accommodate the Red Cross and other agencies. Facilities to include storage for distribution to designated areas [N. Jackson]

6. **ADJOURN**



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



## Richland County Council

### DEVELOPMENT AND SERVICES COMMITTEE

July 25, 2017 – 5:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Seth Rose, Chair; Yvonne McBride, Gwen Kennedy, Chip Jackson, and Dalhi Myers

OTHERS PRESENT: Brandon Madden, Elizabeth McLean, Michelle Onley, Sandra Yudice, Tracy Hegler, Jamelle Ellis, Stacey Hamm, James Hayes, Jennifer Wladischkin, Nancy Stone-Collum, Art Braswell, Chris Eversmann, Shahid Khan, and Ismail Ozbek

1. **CALL TO ORDER** – Mr. Rose called the meeting to order at approximately 5:03 PM.
2. **APPROVAL OF MINUTES**
  - a. June 27, 2017 – Mr. C. Jackson moved, seconded by Ms. Myers, to approve the minutes as distributed. The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Mr. C. Jackson moved, seconded by Ms. Myers, to adopt the agenda as published. The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
  - a. Approval of Temporary Right-of-Way Agreement for Logging – Mr. Madden stated this item was before the committee in June. At which time it was deferred to allow for staff to meet with the impacted community. Staff has met with the stakeholders and is now before committee with a recommendation for approval to allow White Wood, Inc. to access the road to move the logs.  
  
Ms. Myers moved, seconded by Mr. C. Jackson, to forward this item to Council with a recommendation to approve the request by White Wood, Inc. to use Mill Creek Club Road for a temporary, six-month right-of-way for logging operations. This would take the logging trucks off the road that runs through four properties, keeping it on county property with less impact to adjacent landowners. The vote in favor was unanimous.
  - b. If an employee is in need of sick leave, any employee can donate that leave to a specific person and not just a sharing pool [MALINOWSKI] – Mr. Madden stated this is a Council motion by Mr. Malinowski. The leave policy was included in the agenda packet. There is no staff recommendation, as this is a Council motion.

Mr. Rose suggested this item be held in committee and would like to hear the Human Resources Director thoughts on this matter. In addition, he would like to know how other jurisdictions handle similar situations.

Ms. Myers inquired about the impact, if any, on the person being able to return to his/her job. Does it exceed the FMLA allowable time? How long is too long for an employee to gone using this leave time? And, why is this benefit being held out instead of going into effect when they become eligible for other benefits?

Ms. McLean stated her understanding is that this is only going to change a sentence in the catastrophic leave policy, which presently states you cannot donate to no person specifically.

Ms. Myers suggested there be a sunset to how many times within a specific time period an employee can receive FMLA.

Mr. Malinowski inquired if the statements under the Final Recommendations were HR's recommendations.

Mr. Maddens stated those were some considerations from Human Resources and Finance.

Ms. Myers inquired if any tax consequences associated with this leave are taken into account.

Mr. Manning inquired as to why there was no one from the Human Resources Department present to address questions at tonight's committee meeting.

Mr. C. Jackson moved, seconded by Ms. Myers, to defer this item until the September D&S Committee meeting. The vote in favor was unanimous.

- c. Direct Legal to research what is required to enact a parking ordinance in communities/subdivisions [McBRIDE] – Ms. McBride moved, Mr. C. Jackson, to amend the original motion to direct Legal to research what is required to enact a parking ordinance and revisit the weeds and rank vegetation ordinance.

Ms. Kennedy inquired how the communities that already have parking requirements will be affected by this ordinance.

Ms. McLean stated as a general rule the County has the right to rule above the level of a Homeowner Association agreement. The agreements are between the homeowners and are usually based around deed restrictions.

Mr. Malinowski stated this motion was made on April 4<sup>th</sup> wherein Ms. McBride requested Legal to research what is required to enact an ordinance. It took 3 ½ months and 4 committee meetings and all that was done was the current ordinance was copied. There is nothing in the agenda packet that addresses Ms. McBride's question. He requested that Mr. Rose or Ms. Dickerson please convey to Legal that this is unacceptable.

The vote in favor was unanimous.

- d. Landfill Storage Shed Project – Mr. Madden stated this is a request to approve an award to construct a covered shed at the landfill to adequately store the roll carts. At this time, the roll carts do not have a cover over them and they are exposed to the elements.

Ms. Kennedy moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the request to allow the Solid Waste Division of Public Works to move forward with the contractor to begin the project.

Mr. C. Jackson inquired about the locations of the landfills in Richland County.

Mr. Braswell stated the County run landfill is located on Caughman Road North and the Waste Management landfill is located off of Screaming Eagle Road.

Mr. Malinowski inquired as to how many roll carts will be stored under the shed.

Mr. Braswell stated between 800 and 1,000.

Mr. Malinowski inquired about how many roll carts are reissued annually.

Mr. Braswell stated he does not know the total annual amount, but that approximately 30,000 have been identified that need to be repaired or replaced. Solid Waste keeps approximately 400 recycling and 400 garbage carts on site for new residents.

Mr. Malinowski inquired about the length of time it takes to receive a shipment of roll carts.

Mr. Braswell stated it takes between 2 to 4 weeks to receive a shipment. In addition, to being able to store the carts the building will be utilized to repair roll carts that require minimal repairs.

Mr. Malinowski inquired about the life of a roll cart.

Mr. Braswell stated that some of the roll carts have been in the County for 20 years.

Mr. Malinowski stated there was a statement in the agenda packet that the useful life of the roll carts diminishes by having them exposed to the sunlight.

Mr. Braswell stated the sunlight and atmosphere breaks down the roll carts if they are exposed for long periods of time. Another issue at the landfill, is the water accumulating and causing mosquito problems.

Mr. Malinowski inquired about how many people are repairing the roll carts.

Mr. Braswell stated there are roll cart technicians that go out in the field and repair the roll carts, but the building will allow them to bring them back and work on them when the weather is bad. This will assist with turnover of carts. The goal is to reduce the number of new carts that have to be ordered.

Mr. Malinowski inquired about the costs per cart.

Mr. Braswell stated it is \$50.00 per cart.

Mr. C. Jackson stated he is agreement with Mr. Malinowski. A better approach may be to reduce the number of carts on hand.

Mr. Braswell stated this summer there has been an issue because the vendor they use has had a backlog across the country and it has taken longer to get the carts.

Ms. Myers inquired if Mr. Braswell felt the County had a surplus or an inventory of roll carts.

Mr. Braswell responded it is an inventory and the County does not have enough carts due to the program to replace or repair the carts currently in use.

In favor: McBride

Opposed: Rose, C. Jackson, Kennedy, and Myers

The motion failed.

- e. Department of Public Works: 2017 – Private Roads requested to be deeded to the County for perpetual maintenance – Mr. Madden stated this request is through the Public Works Department. There are a number of private roads where the owners are requesting the staff to perform maintenance on these roads. The request is to allow staff the opportunity to obtain deeds for these roads, which once obtained could go into the County's road maintenance program. Staff's recommendation to approve this request.

Ms. Myers stated she read staff had said some of these owners cannot afford upkeep on these roads. One of the owners is Wells Fargo. She does not understand how we got to the place where they do not have to bring up to the standard to turn them over to us. Therefore, we have to do their remedial work, plus the ongoing maintenance.

Mr. Ozbek stated this is a staff initiative and not requested by the developers. This goes back to a 2012 initiative to take over approximately 40 roads. During the process of road evaluation, staff discovered that there were gaps that should have been taken over. The roads are in great shape. They do not need any maintenance at this time, but eventually they will. Staff estimated the costs would be \$1,500 per year.

Ms. Myers moved, seconded by Mr. C. Jackson, to forward to Council with a recommendation to approve the request to obtain deeds and incorporate these roads into the list already approved. The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS**

- a. Council Motion: Require that all municipal utility service providers must request consent and approval from Richland County Council prior to extending or accepting water and sewer infrastructure within the unincorporated boundaries of Richland County [MALINOWSWKI]
- b. Develop an emergency plan with SCDOT to immediately repair Rabbit Run Road and Bitternut Road. Developers' constant neglect to repair the storm drainage system causes dangerous flooding. A school bus almost overturned in the flood this morning (April 24, 2017) on Rabbit Run Road. We cannot afford to endanger the lives of citizens, especially school children because of neglect [N. JACKSON and MALINOWSKI]
- c. Direct staff to research changing the ordinance relating to water runoff so in the future it will require environmental studies and not allow any runoff that exceeds the current runoff from the undeveloped property. This motion should be reviewed/completed and provided to the Planning Commission no later than their June meeting [MALINOWSKI]
- d. If Developers, Builders, etc. cause any hardship on any community due to poor workmanship or unapproved or unpermitted work of any kind that fails, all of their building permits should be pulled and the builder not allowed to build until they fix the problem(s). The homeowners, nor the citizens should have to pay to fix poor workmanship. [N. JACKSON]
- e. HOA's operated by developers or management firms should be fined if due to their poor management, and not that of the home owners, it causes a hardship on the homeowners or

community. NOTE: There are improperly maintained detention ponds that have trees growing in them which causes flooding during a bad storm [N. JACKSON]

6. **ADJOURNMENT** – The meeting adjourned at approximately 5:38 PM.



## **Development and Services Committee Meeting**

**September 26, 2017**

### **Committee Briefing Document**

#### **Agenda Item**

Quit-Claim Deed: 1209 Whitney Street

#### **Background**

In the early 1900's, several mills were established in the area of Columbia now known as the Olympia area. There were several large tracts of land which these mills controlled. Eventually, these tracts were cut up, streets established and home lots were surveyed out. When the home lots were cut out, an alleyway, 10 foot wide, was also established along the rear, and in some cases, the side property line of these lots. These alleyways are vacant and not used by the County.

In 1982, the County passed a County ordinance authorizing County landowners to apply to the County for quit claim deeds in the Olympia community – see attached ordinance.

Historically, once the County received a request from a property owner in the Olympia community regarding a vacant alleyway, the County would contact the property owner and all the property owners bordering the vacant alleyway regarding their interest in receiving half of the vacant land that abuts their property.

If the property owners wanted a portion of the alleyway that borders their property, the County would give the property owner 50% of the vacant land. The remaining 50% of the vacant land would be given to the adjacent property owner. If the property owner did not have an interest in receiving the vacant land, the ownership of the entire portion of the vacant land would be deeded over to the adjacent property owner.

David Hodge, via a September 6, 2017 letter, requested that the County quit claim the vacant land bordering his property at 1209 Whitney Street. (R11203-12-13) – see red portion in the attached map.

#### **Issues**

None. Staff is presenting the request of Mr. Hodge for Council action.

#### **Fiscal Impact**

There is no significant financial impact associated with this request. If the quit claim deeds are approved by Council, then the vacant land will be placed back on the County's tax rolls.

The average taxable value of the lots in the Olympia community is currently \$8,000. Given that the County does mass appraisals and these lots have the same utility as the others and the vacant alleyway does not adversely affect the value of these lots, it is anticipated that there would not be any value increase to any of the properties. Therefore, if the quit claim deeds are approved, there would be no

increase in the amount of taxes collected by the County.

### **Past Legislative Actions**

There is no legislative history concerning the property located at 1209 Whitney Street. However, historically, the County has approved this type of request.

### **Alternatives**

1. Approve the request to approve the Quit Claim Deed.
2. Do not approve the request to approve the Quit Claim Deed.

### **Staff Recommendation**

It is recommended that Council approve the quit claim deed. By doing so, this property will be placed back on the tax rolls.

WED 10 11 2011  
11:03 AM

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. 1003-82HR

AN ORDINANCE AUTHORIZING CERTAIN RICHLAND COUNTY LANDOWNERS TO APPLY TO THE COUNTY GOVERNMENT FOR QUIT CLAIM DEEDS IN THE OLYMPIA COMMUNITY.

Whereas, certain alleyways in the so-called Olympia community of Richland County have been abandoned by their owners, have become overgrown and unused by the general public, and since Richland County has determined that the alleys cannot be used for any legitimate public purpose,

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

SECTION I. Purpose and Intent.

In order to resolve the current confusion in the Olympia community of Richland County as to the ownership and proper use on the number of alleys that run between and behind the residences of the Olympia community, and to recruit the participation of the land owners of the Olympia community in eliminating a public eye sore and nuisance, this ordinance is enacted.

SECTION II. Procedure for Application for Quit Claim Deeds.

Any person who holds fee simple title to any residential lot in the so-called Olympia community of Richland County, may apply to the Office of the Richland County Administrator for a quit-claim deed, whereby the County shall convey any interest it may have to the applicant; provided that no property owner may apply for an interest in an alley greater

than one-half (1/2) of the depth of the alley contiguous to his/her lot.

SECTION III. Legal Status of Olympia Alleys.

Richland County does not claim a fee simple interest in any of the Olympia alleys, but, since, the alleys have been abandoned by their owners and have fallen into general public use, the County could claim some interest by law or equity, in such alleys.

The enactment of this ordinance is not designed to assert title on the part of Richland County, but merely to expedite the conveyance of whatever interest the County may have, if any.

SECTION IV. Separability. 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 December 15, 1982.

RICHLAND COUNTY COUNCIL

BY: John V. Green  
John V. Green, Chairman

ATTEST this the 13th day of  
April, 1983, 1982.

Bessie Fuller  
CLERK OF COUNCIL



**R11203-12-14**  
1208 WHITNEY S

**Parcel Information:**

<http://www.richlandmaps.com/apps/dataviewer/?lat=33.976>

Parcel Number:	R08815-04-02
Situs Address:	1209 WHITNEY ST
Primary Zoning:	RS-HD
Secondary Zoning:	
Tax District:	1UR
NBHD Code:	017.00
Taxable Value:	68,000
Market Value:	68,000
Building Value:	59,800
Land Value:	8,000
Acreage:	0
Owner Name:	HODGE DAVID
Owner Address:	1209 WHITNEY ST
Owner Address:	
Owner City:	COLUMBIA
Owner State:	SC
Owner ZIP:	29201
Bedrooms:	3
Bathrooms:	2
Year Built:	1905
Heated Sq Feet:	1,419 ft <sup>2</sup>
Last Sale Date:	November 25, 2014
Last Sale Price:	\$68,000
Legal Description:	LOT 2 BK 23
Legal Description:	76.6X107.2X76.6X107.2
Legal Description:	#SU PACIFIC MILLS
Legal Description:	#PR I-76

September 6, 2017

Ms. Joyce Dickerson, Chair  
Richland County Council  
2020 Hampton Street  
Columbia, South Carolina 29201

Subject: Quit Claim Deed  
1209 Whitney Street (R08815-04-02)

Dear Ms. Dickerson,

In accordance with Richland County Blanket Ordinance (1003-82-HR), I do hereby request that one half of the 10 foot alleyway located on the south side of my property be conveyed to me as the owner of the property at 1209 Whitney Street.

For your information, I have included the current Richland County GIS information as an attachment.

If you should have any questions concerning the Quit Claim, please feel free to contact myself or my spouse (Theresa H. Hodge 803-779-0311 (work))

Thank you in advance for your careful consideration of the matter.

Sincerely,



David M. Hodge  
803-808-7114

Attachments