

# CHAPTER 133

## Department of Parks, Recreation and Tourism

### 133–100. General Program Information.

#### A. Preamble

(1) Recreation and Parks are a vital part of the lives of our citizens, and as such, the provision of park and recreation services is a duty of government.

(2) In confirming this belief, The South Carolina General Assembly created the Park and Recreation Development Fund (PARD). The fund which is administered by the Department of Parks, Recreation and Tourism (PRT), is intended to assist with permanent improvements of park and recreation facilities which will be open to the general public.

(3) It is the intent of the PARD program to stress that development and renovation result in high quality facilities. Emphasis will be placed on providing these funds within areas which have demonstrated track records of providing park and recreation services and the ability to operate and maintain facilities in a responsible manner.

(4) We encourage the distribution of the PARD Funds to those city, county and special purpose districts which have been specifically mandated to provide for park and recreation services as a primary function. Those agencies which provide such services as a secondary function should coordinate their efforts with primary agencies.

(5) Realizing that there are many methods to distribute funds within a “county area”, it is recommended that each county area determine which method is best suited for it and take the above points into consideration. One method which is encouraged is to distribute within those counties having more than one park and recreation agency an amount to each commensurate with their per capita share in relation to the county’s population.

(6) Wherever possible, county areas which have multiple agencies providing park and recreation services are encouraged to develop county-wide recreation plans for facility development to help insure that the limited PARD dollars are efficiently expended.

#### B. Legislative Basis

The Basis of this grant program is found in Chapter 23 of Title 51 of the 1976 Code of Laws.

#### C. Program Summary

The PARD grant program is to be a non-competitive program of grants to eligible entities within each county area for planning and development for new parks and recreation facilities or renovations of existing facilities. The actual grant awards are made on a project by project basis. Eligible costs will be reimbursed at a rate of eighty percent. The fund is to be used for permanent improvements to public park and recreation facilities. Each application must have the endorsement of a majority of the legislative delegation members of that county area.

#### D. Project Numbering System

Projects will be assigned a five digit number. The first two numbers will represent the year in which the project was approved and the last three numbers will be assigned beginning with zero, zero, one and ascending thereafter (example: 89001).

#### E. Annual Reports

PRT will annually report to the members of the State Legislature the status of all projects which are, or had been active during the previous fiscal year. The report must:

- (1) Indicate how funds were allocated, and,
- (2) Indicate the current status of all active projects.

## **133-101. General Administration.**

### **A. Eligibility**

(1) An Eligible Entity is any local governmental unit, including a special purpose district, which has provided parks or recreation services for at least twelve months prior to the date of application. Such eligibility will be determined by PRT. The South Carolina Department of Parks, Recreation and Tourism is the only State agency eligible for funding.

(2) Once an agency is determined to be eligible for PARD Funds, the agency must maintain the standards established in 133-101.A in order to maintain eligibility. An agency which does not maintain these requirements of during the budget year preceding a grant cycle will lose their eligibility.

(3) It is necessary for agencies who have previously received PARD Funds to abide by their previous agreements. Agencies who break leases or disregard the portions of the agreements concerning the maintenance, operation and use will be determined to be ineligible for future PARD Funds until these discrepancies are rectified.

(4) In general, PARD funds may be used for:

- (a) planning of park and recreation facilities and systems;
- (b) development of new park and recreation facilities and infrastructure and;
- (c) renovation of existing park and recreation facilities and infrastructure.

(d) PRT may use up to five percent of their share of the PARD funds for program administration. Eligible Projects are further described in 133-102, 133-103, and 133-104 of this manual.

### **B. Annual Grant Cycle**

(1) PRT will request that any local unit of government which had previously been determined as ineligible or seeks to upgrade their current classification, respond to the notice of determination at the appropriate time. These agencies will have thirty calendar days from the date of this notice to justify their request. Upon timely receipt of these responses PRT will make whatever inspections that are necessary to verify the information provided. PRT will then respond to each request with its findings of eligibility.

(2) PRT will annually review all agencies and will assign each agency to a classification. These classifications will be defined as follows:

(a) Class "A": a local unit of government which has as one of its primary responsibilities the provision of full-time park and recreation facilities and services open to the general public and has provided such for the previous twelve-month period. These entities have real property under their direct control which they use for public recreation purposes or schedule on-going recreation activities of a comprehensive nature.

(b) Class "B": a local unit of government which has as one of its responsibilities the provision of park and recreation facilities and services open to the general public and has provided such for the previous twelve-month period.

(c) Class "C": a local unit of government which provides park and recreation facilities or services open to the general public as a secondary function and has provided these facilities or services for the previous twelve-month period.

(d) Class "D": all entities which do not fall into one of the three above described classes or entities which have lost their eligibility and as a result are ineligible for PARD Funds.

(3) PRT will notify the county Legislative Delegations of the amount of funds available in their County Area "PARD Account" and the list of eligible entities. Agencies will then return their completed application to PRT for review. The County Delegation will complete the Endorsement Form and return by the Application Deadline. The total amount of all projects endorsed by the Delegation may not exceed the total amount of funds available to the "County Area". Grant awards must be made based on funds which have already been earned and not on anticipated revenues.

(4) At the earliest possible date after the receipt of applications the PRT Commission will give final approval to all eligible projects. Applicants will then be notified and agreements signed.

### **C. Project Match**

PARD is a matching grant program where all projects in "County Areas" must be matched by at least twenty percent of the approved amount. All local matches will be in the form of cash, force account labor, or equipment use costs for the actual construction of the project. Costs associated with the administration of the project, acquisition of real property, or interest on borrowed funds will not be eligible to be used as a match for PARD Funds.

#### D. Procurement Procedures

Project sponsors will be expected to abide by their local bidding requirements in the purchase of labor or materials. During the billing process, the sponsor will be required to give assurances that these procedures have been followed.

#### E. Handicap Accessibility

Projects developed with the assistance of PARD Funds must be accessible to the handicapped to the degree possible.

#### F. Environmental Impact

It is the responsibility of the project sponsor to assure that any development, renovations, or improvements are environmentally sound and that the sole responsibility for corrective action is with the sponsor.

#### G. Control and Tenure of Real Property

The project sponsor must either hold the site in fee simple title or have a lease for a term commensurate with the duration of the agreement period where the sponsor has primary control and the purpose of the site is for public recreation. During the project agreement period the project sponsor may not transfer the rights, privileges or obligations of the agreement to any other organization without the written approval of the Director of the Recreation Division of PRT. The duration of the project agreement is further described below.

(1) Projects valuing twenty thousand dollars and above: The agreement period must be for at least twenty years duration.

(2) Projects valuing between five thousand and twenty thousand dollars: The agreement period must be for at least five years, plus one additional year for each one thousand dollars or fraction thereof, up to twenty years.

(3) Projects valuing less than five thousand dollars: The agreement period must be for at least five years.

#### H. Project Activation

(1) Project applicants must submit their requests in the proper format, and within the appropriate time periods.

(2) PRT will evaluate the projects to determine if they meet the minimum requirements as indicated in this manual. When more than one eligible entity within the same county area seeks PARD funds it is recommended that a criteria system be used to determine project priority.

(3) Final project approvals will be granted by the PRT Commission.

(4) Project sponsors must sign a project agreement within forty-five calendar days of PRT approval.

#### I. Project Termination

PRT may terminate projects where project agreements are not signed or for cause.

#### J. Billings

(1) Project sponsors are encouraged to limit the number of billings which are submitted during the project period. Projects under five thousand dollars in value should have only one billing at the completion of the project. Projects over five thousand dollars in value should submit partial billings in not less than five thousand dollar increments. There should not be more than one billing per project per month.

(2) Prior to reimbursement the following items must be on file in the PRT office:

(a) Billing data sheet.

(b) Labor data sheet.

- (c) Employee time sheet.
- (d) Equipment time sheet.
- (e) Letter assuring proper procurement procedures.
- (f) Certification of Advertisement for bids.
- (g) Copies of invoices.
- (h) Copies of the canceled checks (front and back).

(3) Only eligible costs which occur within the project period will be eligible for reimbursement.

#### K. Reimbursement Calculation Procedure

All reimbursements will be made at the rate of eighty percent of the eligible expenditures up to the approved project amount. The calculation will be as follows:

(1) Cost of eligible contracted services, plus cost of eligible force account labor and equipment use costs (not to exceed twenty percent of the project cost), plus eligible materials cost, plus eligible cost of legal advertisement, equals total eligible cost.

(2) Total eligible cost multiplied by eighty percent, equals total reimbursement.

#### L. Payments

Billings received in proper order in the PRT office will be paid to the sponsor within forty-five calendar days of receipt.

#### M. Retention of Files

It is recommended that project sponsors retain copies of all project files throughout the project agreement period.

#### N. Post Completion Responsibilities

(1) Upon notification of the project completion through the final billing, PRT will be responsible for making an inspection of the site prior to making the final payment.

(2) It will be the responsibility of the project sponsor to insure that the terms of the agreements are kept, that the facilities will be operated for their intended purposes, and that maintenance will be performed on a regular basis.

(3) PRT will make random post completion inspections during the duration of the leases or for normal life expectancy of the facility.

(4) Project sponsors will erect and maintain a sign in a conspicuous place acknowledging the assistance of the Park and Recreation Development Fund for the duration of the project agreement period.

#### O. Apportionment

(1) PARD funds will be allocated among the eligible agencies as follows:

(a) Twenty thousand dollars to the account of each county area.

(b) Seventy-five percent of the remainder of the funds to the account of each county area based on the county's percent of the State population as published in "Current Population Reports" by the Bureau of the Census.

(c) The remainder of the funds will go to the account of PRT. Five percent of this amount may be used for the administration of the PARD Program.

(2) Funds placed in a "County Area" account may not remain unexpended for a period longer than three years. Unexpended funds will be redistributed in the annual allocation process.

## **133-102. Planning Assistance.**

#### A. Planning Results

Upon completion of the planning project, three copies of the final document must be forwarded to PRT along with the final billing.

#### B. Eligible Planning Projects

(1) Master Planning for future park and recreation facilities and programs.

(2) Updating existing master plans for future recreation facilities and programs.

(3) Evaluating specific portions of an existing master plan for future recreation facilities and programs to determine their current status.

(4) Environmental impact studies of existing or proposed recreation facilities and programs.

(5) Site specific evaluations of existing recreation facilities for purposes such as handicap accessibility, safety, and management techniques.

(6) Surveys and marketing studies to determine the need for future recreation facilities and programs.

C. Eligible Costs

(1) Cost of legal advertisements in newspapers for the purposes of procurement or notice of public meetings.

(2) Consultant fees and charges.

(3) Printing costs.

(4) "In-House" labor for the development of plans not to exceed twenty percent of the total project cost.

### **133-103. Development Assistance.**

A. Guidelines for Development Projects

Development projects are site specific improvements on public lands for recreation purposes. All construction, whether indoor or outdoor, is to be new construction of facilities which currently do not exist.

B. Eligible Development Projects

(1) Development of outdoor public recreation facilities.

(2) Development of indoor public recreation facilities.

(3) Development of roads, parking areas, support facilities, utilities and other infrastructure for public recreation facilities.

(4) Improvement of natural resource features.

C. Eligible Costs

(1) Cost of legal advertisement in newspapers for the purpose of procurement.

(2) Architectural/Engineering/Construction Management fees. The total of which may not exceed twelve percent of the total project cost.

(3) Site improvements including clearing, grading, etc. in preparation for the development of recreation facilities.

(4) Building materials, supplies, and specialty materials for construction of new facilities.

(5) Contractual costs for construction affiliated with new structures. Permit costs are not eligible.

(6) "In-House" labor for the construction of new recreation facilities not to exceed twenty percent of the total project cost).

### **133-104. Renovation Assistance.**

A. Guidelines for Renovation Projects

Renovation projects are site specific improvements on public lands for recreation purposes. All construction, whether indoor or outdoor, is to alter facilities which currently exist. This alteration should increase the utility of the existing structure and not be normal maintenance of the facility.

B. Eligible Renovation Projects

(1) Renovation of existing recreation structures to make them accessible to the handicapped.

(2) Altering existing structures so as to increase their utility as recreation facilities.

(3) Modifying existing structures which are currently not being used for recreation purposes such that after alteration their primary use will be for public recreation.

(4) Replacement of permanent improvements to parks and recreation facilities which have outlived a reasonable lifetime.

(5) Repairs to natural resource structures.

C. Eligible Costs

(1) Cost of legal advertisement in newspapers for the purpose of procurement.

(2) Architectural/Engineering/Construction Management fees. The total of which may not exceed twelve percent of the project amount.

(3) Site improvements including clearing, grading, etc. in preparation of recreation facilities.

(4) Building materials, supplies, and specialty materials.

(5) Contractual costs of construction costs affiliated with renovations. Permit costs are not eligible.

(6) "In-House" labor for the renovation of existing recreation facilities not to exceed twenty percent of the total project cost.

Note—

Application forms and other pertinent program information can be obtained by contacting:

Recreation Division  
South Carolina Department of  
Department of Parks, Recreation and Tourism  
1205 Pendleton Street  
Edgar Brown Building  
Columbia, S.C. 29201  
803-734-0141