

**RICHLAND COUNTY GOVERNMENT**



**OFFICE OF THE COUNTY ADMINISTRATOR  
COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS  
COUNCIL MEETING**

**June 18, 2013**

**6:00 p.m.**

**AMENDED**

**Call to Order:** Washington

**Invocation:** Dickerson

**Pledge of Allegiance:** Dickerson

**Approval of Minutes:**

- a. **Regular Session: June 4, 2013.** A motion for reconsideration of the Minutes was unanimously approved. The following motion was made by Ms. Dixon:

“To approve the recommended plan for paving dirt roads as presented by staff and to incorporate the plan into the Minutes.”

A motion was unanimously approved to incorporate the Recommended Plan for Paving Dirt Roads in its entirety into the Amended Minutes.

**Adoption of Agenda:** Adopted as published.

**Report of the Attorney for Executive Session Items**

- a. **Darrell's H-Tax Settlement**
- b. **Contractual Matter: IT**
- c. **Contractual Matter: Potential Purchase of Property – Airport**
- d. **Economic Development Land Acquisition.** Discussion on this item was held. A motion was unanimously approved to proceed as recommended in Executive Session. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, FINANCE**

**Citizen's Input:** No one spoke.

**Report of the County Administrator**

- a. **3rd Reading of Budget: Wednesday, June 19, 6:00 PM.** Mr. McDonald stated an updated motions list was forwarded to Council on June 14, 2013, and the 3<sup>rd</sup>

Reading of the budget will be held on June 19, 2013.

- b. Transportation Penny Director Update.** Mr. McDonald stated in the near future a job offer will be extended to the selected candidate for the Transportation Director.
- c. Public Information Director Update.** Mr. McDonald stated in the near future a job offer will be extended to the selected candidate for the Public Information Office Director.
- d. Recycle Day Update.** Mr. McDonald provided a recap of Recycle Day. The event, held on May 20, 2013 at the State Fairgrounds, was considered a success. Over 1,300 participants discarded 100 tons of household hazardous waste, electronics, metals and tires at the event. Most of the materials collected will be recycled and made into new products, which reduces pollution and creates additional jobs. About 225 students also attended and learned about environmental, storm water and sustainability issues as well as the importance of taking care of natural resources. Special thanks were given to the Public Works' Department for hosting the event.

#### **Report of the Clerk of Council:**

- a. REMINDER: July Meeting Schedule.** Ms. Onley stated July's meetings will be held on the 2<sup>nd</sup> and 16<sup>th</sup> at 6:00 p.m. A motion was unanimously approved to hold a Special Called meeting on July 23, 2013 to wrap up any remaining matters prior to the Council's recess in August. The Special Called meeting will immediately follow the Zoning and Public Hearing meeting on the 23<sup>rd</sup>.

The D&S and A&F Committees' meetings will also be held on the 23<sup>rd</sup> at 5:00 p.m. and 6:00 p.m. respectively.

- b. 2nd Annual Owning, Maintaining & Gardening (OMG) of Homeownership, June 22nd, 8:00 AM-10:00 AM, Midlands Technical College, NE Campus.** Ms. Onley reminded Council of the details of the event to be held on June 22, 2013.

#### **Presentations:**

- a. Voterheads Update, Mike Switzer.** Mr. Switzer, Chairman of the Board and Karl McCollester, CEO/CTO, provided an overview of the features of the internet-based site, and invited Council and the public to register, make comments and offer feedback. The goal of the site is to make it easier for interested parties to access information specific to Council activities. Access to the site is free and the information submitted by contributors will be shared with Council.

#### **Report of the Chairman:**

- a. **High Speed Rail Coalition.** A coalition is being formed with the Central Midlands Council of Governors in support of the Atlanta to Charlotte Passenger Rail Corridor Investment Plan (PRCIP) project which is a passenger rail service which improves intercity travel and mobility between Atlanta and Charlotte. The route for Alternative No. 4 will potentially run through Richland County. Council was encouraged to participate in support of the initiative.
- b. **SLBE Work Session.** The meeting, which will be conducted by Franklin Lee, will be held from 3:00 to 4:30 p.m. on July 2, 2013.

**Open/Close Public Hearings:**

- a. **An Ordinance Providing for the Issuance and Sale of General Obligation Bonds (for the benefit of the Richland Library) of Richland County, South Carolina, in an aggregate principal amount of not exceeding fifty nine million three hundred twenty one thousand nine hundred dollars (\$59,321,900); delegating to the County Administrator certain authority related to the bonds; providing for the payment of said bonds; and other matters relating thereto.** Six people spoke.
- b. **An Ordinance Authorizing the Conversion of a Fee in Lieu of Tax Arrangement between Richland County, South Carolina and PCO Carolina Pines LP under Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended, to an Arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; consenting to the transfer of the Fee in Lieu of Tax Arrangement to Project Packaging and extension of the term thereof upon certain conditions as provided herein; and other matters related thereto.** No one spoke.
- c. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article I, Regulations Regarding County-Owned or Leased Property; Section 17-2, Parking on County Office Property; Subsection (a) and (b); and Section 17-3, Sheriff's Deputies assigned as Security Officers to issue tickets; Subsection (a); so as to limit public parking to two hours and to delete the provisions for parking meters.** No one spoke.
- d. **An Ordinance Authorizing a Deed to CW Hangar Partners, LLC, for approximately 2.29 acres of land, constituting a portion of Richland County TMS # 13702-09-01A.** No one spoke.
- e. **Small Local Business Enterprise ("SLBE") Program.** No one spoke.

**1. Consent Items:**

- a. **[REMOVED] An Ordinance Amending the Richland County Code of**

**Ordinances; Chapter 17, Motor Vehicles and Traffic; Article I, Regulations Regarding County Owned or Leased Property; Section 17-2, Parking on County Office Property; Subsections (a) and (b); and Section 17-3, Sheriff's Deputies assigned as Security Officers to issue tickets; Subsection (a); so as to limit public parking to two hours and to delete the provisions for parking meters [THIRD READING]. Council unanimously gave third reading approval to the ordinance amendment. **ACTION: SUPPORT SERVICES, LEGAL, ADMINISTRATION, SHERIFF'S DEPARTMENT, PUBLIC WORKS****

- b. **[REMOVED] An Ordinance Authorizing a Deed to CW Hangar Partners, LLC, for approximately 2.29 acres of land, constituting a portion of Richland County TMS # 13702-09-01A [THIRD READING]. Council unanimously gave third reading approval to the ordinance. A motion for reconsideration failed. **ACTION: LEGAL, ADMINISTRATION, FINANCE****
- c. **An Ordinance Authorizing the Conversion of a Fee in Lieu of Tax Arrangement between Richland County, South Carolina and PCO Carolina Pines LP under Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended, to an arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; consenting to the transfer of the Fee in Lieu of Tax arrangement to Intertape Polymer Corp. and extension of the term thereof upon certain conditions as provided herein; and other matters related thereto [THIRD READING]. Council unanimously gave third reading approval to the ordinance. A motion for reconsideration failed. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER****
- d. **13-12MA  
Wayne Huggins  
RU to OI (1.79 Acres) 9711 Garners Ferry Road  
24700-11-07 [THIRD READING]. Council unanimously gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL****
- e. **13-14MA  
Boyce Haigler  
HI to GC (1.03 Acres) 1051 Market St.  
11206-04-05 [THIRD READING]. Council unanimously gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL****
- f. **[REMOVED]  
13-15MA  
Gary Morris  
M-1 to HI (33.5 Acres) 1091 Carolina Pines Dr.  
17600-01-17 &24 [THIRD READING]. Council unanimously gave third reading**

approval to the map amendment ordinance. A motion for reconsideration failed.  
**ACTION: PLANNING, CLERK OF COUNCIL**

- g. **13-16MA**  
**Ryan Slattery**  
**Killian's Crossing**  
**PDD to PDD Amendment (398.66 Acres)**  
**17400-02-04, 12, 14 & 16 [THIRD READING].** Council unanimously gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**
- h. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection (b), Initiation of Proposals; Paragraph (2), Zoning Map Amendments; Subparagraph b, Minimum Area of Zoning Map Amendment Application; so as to allow LI (Light Industrial) District Zoning contiguous to an existing Industrial District for a parcel with less than two (2) acres [THIRD READING].** Council unanimously gave third reading approval to the ordinance amendment. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- i. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements listed by Zoning District; Paragraph (30), Dwellings, Single Family, Zero Lot Line, Common and Parallel; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (30), Dwellings, Single Family, Zero Lot Line, Common and Parallel; so as to remove certain permitted uses from the Office and Institutional Zoning District [THIRD READING].** Council unanimously gave third reading approval to the ordinance amendment. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- j. **[REMOVED] An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$300,000 of General Fund Unassigned Balance for legally obligated claims for the Richland County Risk Management Department [SECOND READING].** Council unanimously gave second reading approval to the ordinance amendment. **ACTION: RISK MANAGEMENT, FINANCE**
- k. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-13,**

**Emergency Maintenance of Roads; so as to delete subsection (c) in its entirety [SECOND READING].** Council unanimously gave second reading approval to the ordinance amendment. **ACTION: PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**

## **2. Third Reading Items**

- a. **An Ordinance Approving a budget for and the distribution of the revenues from the one percent (1%) sales and use tax for transportation projects for Fiscal Year 2013-2014 and other matters related thereto.** A motion was unanimously approved to defer to the July 2, 2013 Council meeting for additional information. **ACTION: LEGAL, FINANCE, ADMINISTRATION, PROCUREMENT, CLERK OF COUNCIL**

## **3. Second Reading Items:**

- a. **An Ordinance Providing for the Issuance and Sale of General Obligation Bonds (for the benefit of the Richland Library) of Richland County, South Carolina, in an aggregate principal amount of not exceeding fifty nine million three hundred twenty one thousand nine hundred dollars (\$59,321,900); delegating to the County Administrator certain authority related to the bonds; providing for the payment of said bonds; and other matters relating thereto.** Council gave second reading approval to the ordinance. Staff was directed to provide requested information to Council prior to third reading. **ACTION: FINANCE, LEGAL, LIBRARY, ELECTIONS AND VOTER REGISTRATION, ADMINISTRATION, CLERK OF COUNCIL**

## **4. Report Of Economic Development Committee:**

- a. **Ordinance Authorizing the Execution and Delivery of a Fee Agreement by and between Richland County, South Carolina and Intertape Polymer Corp. providing for a payment of a Fee in Lieu of Taxes and other matters related thereto [FIRST READING BY TITLE ONLY].** Council accepted the Committee's recommendation and gave first reading approval to the ordinance by title only. **ACTION: LEGAL, FINANCE, TREASURER, AUDITOR, ASSESSOR**
- b. **Authorizing the Execution and Delivery of a First Amendment to the Infrastructure Credit Agreement by and among Richland County, South Carolina and Project PT, to provide for an extension of the Special Source Revenue Credit and to apply it to an additional investment commitment and additional job commitment by Project PT; and other matters thereto related [FIRST READING BY TITLE ONLY].** Council accepted the Committee's recommendation and gave first reading approval to the ordinance by title only. **ACTION: LEGAL, FINANCE, TREASURER, AUDITOR, ASSESSOR**

- c. **Authorizing the Execution and Delivery of a Fee in Lieu of Tax Agreement by and among Richland County, South Carolina, a sponsor and a sponsor affiliate collectively known as Project Sweetbay, to provide for a Fee-in-Lieu of Ad Valorem Taxes; and other related matters [FIRST READING BY TITLE ONLY].** Council accepted the Committee's recommendation and gave first reading approval to the ordinance by title only. **ACTION: LEGAL, FINANCE, TREASURER, AUDITOR, ASSESSOR**
- d. **A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding by and between Richland County, South Carolina and the South Carolina Research Authority and other matters related thereto.** Council accepted the Committee's recommendation and unanimously adopted the Resolution. **ACTION: LEGAL, FINANCE, CLERK OF COUNCIL, ADMINISTRATION**
- e. **Economic Development Land Acquisition [EXECUTIVE SESSION].** This item was discussed during the Report of the Attorney for Executive Session Items.

**5. Report of Rules and Appointments Committee:**

**a. Notification Of Vacancies:**

- a. **East Richland Public Service Commission-1; there will be one vacancy on this commission**

**Phyllis B. Beighley, July 15, 2013\***

A motion to advertise was unanimously approved. **ACTION: CLERK OF COUNCIL**

- b. **Midlands Workforce Development Board - 7; the positions need to be filled for this board are:**

- 1. Private Sector (Business Representative)-3**
- 2. Youth Council Representative-2**
- 3. Youth Program Representative-1**
- 4. Job Corps Representative-1**

**\*Eligible for re-appointment**

A motion to advertise was unanimously approved. **ACTION: CLERK OF COUNCIL**

**b. Notification Of Appointments:**

- a. **Accommodations Tax Committee-2; no applications were received.** A motion to readvertise was unanimously approved. **ACTION: CLERK OF COUNCIL**

- b. **Board of Assessment Appeals-1; one application was received from the following:**

**Eric John Grant\***

**\* Eligible for reappointment**

A motion to readvertise was approved. **ACTION: CLERK OF COUNCIL**

- c. **Community Relations-3; applications were received from the following:**

**Michelle Boykin**

**Henry Counts**

**David Edmond**

**Kerry Feduk**

**Kimberly Kennedy Gooden\***

**Colie L. (Josh) Lorick**

**\*Eligible for re-appointment**

The Committee's recommendation to appoint Mr. Counts, Ms. Feduck and Mr. Lorick was not approved. A motion was approved to appoint Mr. Counts, Mr. Edmond and Mr. Lorick by way of majority vote. A motion for reconsideration failed. **ACTION: CLERK OF COUNCIL**

- d. **Employee Grievance Committee-2; one application was received from:**

**Sonia Fells, IT**

A motion to appoint Ms. Fells and readvertise the second position was unanimously approved. **ACTION: CLERK OF COUNCIL**

- e. **Hospitality Tax Committee-1; no applications were received at this time.** A motion to readvertise was unanimously approved. **ACTION: CLERK OF COUNCIL**

- c. **Discussion From Rules And Appointments Committee:**

- a. **All applicants for Richland County Boards, Commissions, or Committees will be telephonically notified within 48 hours of council's decision relating to that appointment and a follow up letter will be mailed within 5 work days to same**

[MALINOWSKI]. A motion to defer was approved.

- b. **Community Relations Council.** Mr. Malinowski stated the Committee recommended the item be tabled, and that subsequent questions be addressed through the motions process. A motion to defer was unanimously approved.

Ms. Dickerson stated she would obtain information from the Community Relations Council and provide an update to County Council when the information became available.

**6. Other Items:**

**a. Report of the Airport Commission:**

- a. **Potential Purchase of Property.** Discussion on this item was deferred until after the Executive Session.

A motion to proceed as directed in Executive Session was approved.

**ACTION: ADMINISTRATION, CLERK OF COUNCIL**

**b. Report of the Transportation Penny Advisory Committee:**

- a. **An Ordinance Authorizing the Issuance and Sale of not to exceed \$250,000,000 General Obligation Bonds and \$50,000,000 General Obligation Bond Anticipation Notes, in one or more series, in one or more years, with appropriate series designations, of Richland County, South Carolina; fixing the form and details of the bond and the notes; delegating to the County Administrator certain authority related to the bonds and the notes; providing for the payment of the bonds and the notes and the disposition of the proceeds thereof; and other matters relating thereto [FIRST READING].** Council gave first reading approval to the ordinance. A motion to defer failed. **ACTION: LEGAL, FINANCE, ASSESSOR, AUDITOR, TREASURER, ADMINISTRATION**

- c. **A Resolution Approving the updated 2012 Assessment Roll for the Village at Sandhill Improvement District, Richland County, South Carolina.** Council unanimously adopted the Resolution. **ACTION: CLERK OF COUNCIL, PLANNING, LEGAL**

**7. Citizen's Input:** No one spoke.

**8. Executive Session:**

- a. **Darrell's H-Tax Settlement.** The County Attorney was directed to proceed with the settlement as discussed in Executive Session.

- b. **Contractual Matter: IT.** For information only.
- c. **Contractual Matter: Potential Purchase of Property – Airport.** Staff was directed to proceed as discussed in Executive Session.
- d. **Economic Development Land Acquisition.** This item was discussed during the Report of the Attorney for Executive Session Items.

## 9. Motion Period

- a. **Resolution honoring Anna Wimberly, Richland School District Two Bus Driver, for her heroic action and judgment on keeping the children safe until assistance arrived [DIXON].** Council unanimously adopted the Resolution. **ACTION: CLERK OF COUNCIL**
- b. **Resolution honoring the Richland County Wellness Program and the impact it has on the lives and wellbeing of County staff and the citizens of Richland County [DIXON].** Council unanimously adopted the Resolution. **ACTION: CLERK OF COUNCIL**
- c. **Richland County explore providing water to the unincorporated areas of the County [JACKSON].** This item was forwarded to the July 23, 2013 D&S Committee meeting. **LEGAL, CLERK OF COUNCIL**
- d. **I move to direct the Legal Department to identify those outside law firms or lawyers retained to represent Richland County in any matter that also have represented Flow Control/Solid Waste companies, firms, entities or individuals and report back with that information to Council whether in open session or in executive session if any of that information falls within a permissible executive session, such as but not limited to the receipt of legal advice or contractual matters [WASHINGTON].** This item was forwarded to the July 23, 2013 A&F Committee meeting. **LEGAL, CLERK OF COUNCIL**
- e. **Resolution recognizing Miriam Atria on her appointment as President of the SC Association of Tourism Regions Board of Directors [DICKERSON].** Council unanimously adopted the Resolution. **ACTION: CLERK OF COUNCIL**

**10. Adjournment:** Council adjourned at 8:02 p.m.