

**RICHLAND COUNTY GOVERNMENT**



**OFFICE OF THE COUNTY ADMINISTRATOR  
COUNCIL ACTIONS REPORT  
COUNCIL MEETING  
September 10, 2013  
6:00 p.m.**

**Call to Order:** Washington

**Invocation:** Jackson

**Pledge of Allegiance:** Jackson

**Presentation of Resolutions:**

- a. **A Resolution honoring Josiah Washington on representing Richland County with his participation on Jeopardy and for speaking on behalf of the Richland Library at the Budget Public Hearing.** Mr. Jackson and Mr. Washington, on behalf of the Council, presented the Resolution.
- b. **A Proclamation honoring Micah Washington for speaking on behalf of the Richland Library at the Budget Public Hearing.** Mr. Jackson and Mr. Washington, on behalf of the Council, presented the Resolution.

**Approval of Minutes:**

- a. **Zoning Public Hearing: July 23, 2013.** Approved as published.
- b. **Special-Called Meeting: July 23, 2013.** Approved as published.

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

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

- a. **Election Fee Agreement (Richland County Public Library)**
- b. **Monticello Road Streetscaping - Condemnation Update**
- c. **City of Columbia Intergovernmental Agreement (Elections)**
- d. **Eastover Wastewater Treatment Plant (contractual)**
- e. **Columbia Venture - Litigation Update**
- f. **SC Public Interest Foundation - Litigation Update**

- g. Carolina Walk/Serrus - Litigation Update.** A motion was unanimously approved. Discussion took place in Executive Session.

A motion was unanimously approved to come out of Executive Session. No action was taken.

**Citizens' Input:** One person spoke.

**Report of the County Administrator:**

- a. Introduction of New Employees.** Mr. McDonald introduced Howard Jackson, the Elections & Voter Registration Director, and Rob Perry, the Transportation Director.
- b. Mitigation Bank Update.** For discussion in Executive Session.
- c. Potential Purchase of Property.** For discussion in Executive Session.
- d. Proposed Transportation Penny RFP Work Session: Tuesday, September 17, 2013; 3:30-5:00 P.M.** A motion was unanimously approved to have the work session as proposed. **ACTION: CLERK OF COUNCIL, TRANSPORTATION, ADMINISTRATION**

**Report of the Clerk of Council:**

- a. SCAC Institute of Governments and County Council Coalition, October 17 and 18, 2013 Embassy Suites, Columbia.** Ms. Onley reminded Council of the event. **ACTION: CLERK OF COUNCIL**
- b. REMINDER: Midlands Housing Trust Fund Breakfast, Wednesday, September 11, 2013 8:00 A.M., EdVenture Children's Museum - The Canal Room.** Ms. Onley reminded Council of the event.
- c. Scheduling Council Member Individual Photos.** Ms. Onley requested Council members who would like an updated photo taken to notify her. **ACTION: CLERK OF COUNCIL**

**Report of the Chairman:**

- a. Mr. Manning's Absence.** Mr. Washington informed the Council Mr. Manning was traveling.
- b. Council Lapel Pin.** Mr. Washington stated, by consensus, the Council selected Design A as its new lapel pin.

**Presentations:**

- a. **Community Healthcare Services: Mac Bennett, President & CEO, United Way of the Midlands.** Mr. Bennett provided an update on the program's current activities and discussed its future plans to increase its patient care services by expanding its program and moving to a new location.

**Open/Close Public Hearings:**

- a. **An Ordinance establishing a temporary moratorium on the approval of any Special Exception Requests to establish a Special Congregate Facility within the unincorporated areas of Richland County.** No one spoke.
- b. **Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, to expand the boundaries of the park to include certain real property located in Richland County; and other related matters.** No one spoke.
- c. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to adopt and codify the 2011 Edition of the International Electrical Code and the 2012 Editions of the International Residential Code, International Building Code, International Fire Code, International Fuel/Gas Code, International Mechanical Code, International Plumbing Code and International Property Maintenance Code.** No one spoke.
- d. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article X, Property Maintenance; so as to codify property maintenance regulations.** No one spoke.

**1. Consent Items:**

- a. **Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, to expand the boundaries of the park to include certain real property located in Richland County; and other related matters [THIRD READING].** Council unanimously gave third reading approval to the amendment. **ACTION: PLANNING, LEGAL**
- b. **[REMOVED] An Ordinance Establishing a Temporary Moratorium on the approval of any special exception requests to establish a special congregate facility within the unincorporated areas of Richland County [THIRD READING].** Council unanimously gave third reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- c. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article II, Rules of Construction; Definitions; Section 26-22, Definitions; and Amending Article VII, General Development, Site,**

and Performance Standards; Section 26-186, Green Code Standards; so as to replace those standards with "Development with Open Space Design Standards" and Amending Article X, Subdivision Regulation; Section 26-222, General Requirements; Subsection (G), Natural Resource Inventory; Paragraph (1); so as to delete the requirement of a desktop analysis [THIRD READING]. Council unanimously gave third reading approval to the ordinance.  
**ACTION: PLANNING, CLERK OF COUNCIL**

- d. **13-17MA**  
**Steven Mungo/Gerald Steele**  
**RU to RS-LD (58.7 Acres)**  
**1842 Kennerly Rd.**  
**04200-04-07 & 08 [SECOND READING].** Council unanimously gave second reading approval to the map amendment. **ACTION: PLANNING, CLERK OF COUNCIL**
- e. **13-19MA**  
**Will Holmes**  
**RS-MD to OI (15.26 Acres)**  
**2312 Clemson Rd.**  
**20200-01-30 [SECOND READING].** Council unanimously gave second reading approval to the map amendment. **ACTION: PLANNING, CLERK OF COUNCIL**
- f. **13-25MA**  
**Mukesh Thakkar**  
**RU to RC (1.76 Acres)**  
**10447 & 10453 Wilson Blvd.**  
**15000-02-09 [SECOND READING].** Council unanimously gave second reading approval to the map amendment. **ACTION: PLANNING, CLERK OF COUNCIL**
- g. **An Ordinance Authorizing the Issuance and Sale of not to exceed \$17,200,000 General Obligation Bonds, Series 2013B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Delegating to the County Administrator certain authority related to the bonds; Providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [SECOND READING].** Council unanimously gave second reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, FINANCE, CLERK OF COUNCIL**
- h. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to Adopt and Codify the 2011 Edition of the International Electrical Code and the 2012 Editions of the International Residential Code, International Building Code, International**

**Fire Code, International Fuel/Gas Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code [FIRST READING].** Council unanimously gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, BUILDING & INSPECTIONS, LEGAL**

- i. **Community Use of County Facilities.** Council unanimously gave approval to the item. **ACTION: RISK MANAGEMENT, ADMINISTRATION, SUPPORT SERVICES, FINANCE**
- j. **[REMOVED] Acquisition of Unclaimed Land within Undeveloped Right of Ways for Devil's Ditch Maintenance Access and Enhancement.** Council unanimously gave approval to the item. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, PUBLIC WORKS, LEGAL**
- k. **Consent Agenda Deferral Policy.** Council unanimously gave approval to the item. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, LEGAL**
- l. **Codify Property Maintenance Regulations [FIRST READING].** Council unanimously gave first reading approval to the item. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, BUILDING SERVICES, LEGAL**

## **2. Third Reading Items:**

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; by adding a new division entitled 7, Small Local Business Enterprise Procurement Requirements; and Amending Chapter 2, Administration; Article XI, Inquiries and Investigations; so as to renumber the paragraphs therein.** A motion was unanimously approved to defer to the September 17, 2013 Transportation Penny RFP Work Session. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, PROCUREMENT**
- b. **Proposed Amended Scope of Work for Administration of Richland County's SLBE Program.** A motion was unanimously approved to defer to the September 17, 2013 Transportation Penny RFP Work Session. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, PROCUREMENT**

## **3. First Reading Items:**

- a. **An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$517,000 of Hospitality Tax Unassigned Fund Balance for feasibility studies (\$420,000), Olive Branch Network (\$50,000), and Capital City Classic (\$47,000).** A motion was made to appropriate \$420,000 from the unassigned fund balance. A substitute motion was unanimously approved to (1) appropriate *up to* \$420,000 for feasibility studies and (2) to divide the item.

- i. **Olive Branch Network.** A motion was unanimously approved to allocate \$50,000 from the H-Tax unassigned fund balance.
- ii. **Capital City Classic.** A motion was unanimously approved to allocate \$47,000 from the H-Tax unassigned fund balance.

**ACTION: ADMINISTRATION, GRANTS, FINANCE, LEGAL, CLERK OF COUNCIL**

- b. **FY14 Township Funding.** A motion was unanimously approved to allocate an *additional* \$71,000 to the previously-approved \$300,000 in funding (totaling \$371,000). **ACTION: FINANCE, GRANTS**

**4. Report of Development and Services Committee:**

- a. **Bagging Yard Debris in Solid Waste Collection Service Areas 2 and 6.** A motion was unanimously approved to defer to the September 24, 2013 D&S Committee meeting. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, SOLID WASTE, PUBLIC WORKS, STORMWATER**
- b. **Authorizing and Providing for the creation of the Lower Richland Sewer System and for the issuance of Lower Richland Sewer System Improvement Revenue Bonds of Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the new revenues derived from the operation of the Sewer System and pledging the revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing [FIRST READING].** Council unanimously approved the Committee's recommendation to give first reading approval to the item. **ACTION: ADMINISTRATION, LEGAL, FINANCE, CLERK OF COUNCIL**
- c. **Authorizing and Providing for the Issuance of a Sewer System Improvement Revenue Bond Anticipation Note, Series 2013 (Lower Richland Sewer System Project Phase I), or such other appropriate series designation of Richland County, South Carolina, in an amount not to exceed \$9,359,000; Authorizing the County Administrator to determine certain matters relating to the Note; Providing for form and details of the Note; Providing for the payment of the Note; Providing for the disposition of the proceeds thereof; and other matters relating thereto [FIRST READING]** Council unanimously approved the Committee's recommendation to give first reading approval to the item. **ACTION: ADMINISTRATION, LEGAL, FINANCE, CLERK OF COUNCIL**

**5. Report of Economic Development Committee:**

- a. **Approval of Intertape Polymer Group Set Aside Grant.** Council unanimously approved the Committee's recommendation to approve the grant. **ACTION:**

**LEGAL, FINANCE, ECONOMIC DEVELOPMENT, TREASURER,  
AUDITOR, ASSESSOR**

- b. Approval of Project Form Closing Fund Grant.** Council unanimously approved the Committee's recommendation to approve the grant. **ACTION: ECONOMIC DEVELOPMENT, GRANTS, FINANCE**

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

**a. Notification of Vacancies:**

- i. Building Codes Board of Appeals-1; there is one vacancy on the board:**

**Ralph Walden (Resigned)**

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

**b. Notification of Appointments:**

- i. Accommodations Tax Committee-2; there are two appointments to be made to this committee; positions to be filled are for Lodging and Hospitality; one application was received from:**

**J. Benjamin Blackwell\* (withdrawn)**

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

- ii. Airport Commission-1; there is one vacancy on the commission for an un-expired term; an application was received from:**

**Anne G. Kelly**

The Committee's recommendation to appoint Anne G. Kelley was unanimously approved. **ACTION: CLERK OF COUNCIL**

- iii. Community Relations Council-2; there are two positions on this council; applications were received from the following:**

**Dr. Allen Coles\***

**Kerry Feduk**

**Kimberly Andrena Kennedy Gooden (withdrew)**

**Toya Dion Jefferson Murph**

The Committee's recommendation to reappoint Dr. Allen Coles and

appoint Kerry Feduk was unanimously approved. **ACTION: CLERK OF COUNCIL**

- iv. **East Richland Public Service Commission-1; there is one position on the commission; applications were received from the following:**

**Phyllis Beighley\***  
**Norman M. Paige**  
**Mark A. Riffle**

This item was held in Committee. **ACTION: CLERK OF COUNCIL**

- v. **Employee Grievance Committee-4; no applications have been received. A motion to readvertise was unanimously approved. ACTION: CLERK OF COUNCIL**

- vi. **Hospitality Tax Committee-2; there are two vacancies on this committee; applications were received from the following:**

**John Adams**  
**Shanelle Baker**  
**Robert A. Swanson**

This item was held in Committee. **ACTION: CLERK OF COUNCIL**

- vii. **Midlands Workforce Development Board-8, for the following positions:**

**Private Sector (Business representative)-5**  
**DSS representative-1**  
**Youth Program representative-1**  
**Job Corps representative-1**

**Private Sector applicants are: Derek Burrell, Larry Cooke, Wanda Herron, Harry Plexico, and Michael Ray**

**DSS representative applicants are: Terry D. Blair and John R. Timmons, Jr.**

**Youth Council applicants are: Aretha Barnes (Job Corps representative) and Joseph Rice, Jr. (Youth Program representative)**

This item was held in Committee. **ACTION: CLERK OF**

## COUNCIL

### 7. Other Items:

- a. **A Resolution to appoint and commission Daneil Seth McBride as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County.** Council unanimously approved the Resolution.  
**ACTION: ANIMAL CARE, LEGAL, CLERK OF COUNCIL**

b. **Report of the Dirt Road Committee:**

- a. **Dirt Road Update.** For information only.
- b. **Construction Contract.** The following motion, made by Ms. Dixon, was unanimously approved:

“Authorize staff to negotiate an amendment to the South Paving contract with Cherokee, Inc. to include paving the 10 priority low-volume roads this paving season.”

A motion for reconsideration failed. **ACTION: ADMINISTRATION, FINANCE, PROCUREMENT, LEGAL, PUBLIC WORKS**

### 8. Citizen’s Input: No one spoke.

### 9. Executive Session:

- a. **Election Fee Agreement (Richland County Public Library).** Council was informed this item did not require discussion in Executive Session.

Council unanimously approved authorizing the County Administrator to enter into the Memorandum of Understanding. **ACTION: ADMINISTRATION, LEGAL, LIBRARY, ELECTIONS AND VOTER REGISTRATION, FINANCE**

- b. **Monticello Road Streetscaping - Condemnation Update.** The following motion, made by Mr. Livingston, was approved:

“Move that we move forward with the condemnation as discussed.”

**ACTION: COMMUNITY DEVELOPMENT, LEGAL, ADMINISTRATION, CLERK OF COUNCIL, PLANNING, UTILITIES, PUBLIC WORKS**

- c. **City of Columbia Intergovernmental Agreement (Elections).** The following motion, made by Mr. Washington, was approved:

“Move to authorize the County Administrator to enter into the IGA with the revised attorney fees, language and making any necessary changes by the recent Circuit Court ruling related to the Elections Board.”

**ACTION: ADMINISTRATION, LEGAL, ELECTIONS AND VOTER REGISTRATION, FINANCE**

- d. **Eastover Wastewater Treatment Plant (contractual).** The following motion, made by Mr. Rose, was approved:

“Move to authorize the Legal Department to revise the contract as appropriate and finalize its terms with Eastover County.”

**ACTION: LEGAL, PUBLIC WORKS, ADMINISTRATION**

- e. **Columbia Venture - Litigation Update.** This item was not taken up.
- f. **SC Public Interest Foundation - Litigation Update.** For information only.
- g. **Carolina Walk/Serrus - Litigation Update.** This item was discussed in Executive Session during the County Attorney’s report.
- h. **Mitigation Bank Update.** The following motion, made by Mr. Jackson, was unanimously approved:

“Move that County Council direct staff to enter into negotiations with the US Army Corps of Engineers, SC Department of Health and Environmental Control, SC Department of Natural Resources, Haile Gold Mine, Inc. and other impacted parties to discuss proposed mitigation plan set forth in the USACE public notice dated July 9, 2013.

“Administration is directed to file comments to the USACE and SCDHEC on the proposed mitigation plan, and if necessary, file an Administrative Appeal of the 404 Permit and the 401 Water Quality Certification.”

**ACTION: LEGAL, PUBLIC WORKS, ADMINISTRATION**

- i. **Potential Purchase of Property.** The following motions, made by Mr. Jackson, were unanimously approved:

(1) “Direct staff to negotiate and close a contract at or below the above value with Mr. Hopkins to purchase approximately 575 acres for the establishment of mitigation bank.”

(2) “Direct staff to negotiate and close an option/agreement, at or below the above value on the Beta Tract for the purchase of approximately 1,800 acres of land to include mitigation credits to the property.”

**ACTION: LEGAL, PUBLIC WORKS, FINANCE, ADMINISTRATION**

## 10. Motion Period:

- a. **Amended agenda pages will be given a page/letter designation and only those pages will be Xeroxed for distribution. Example: If page 105 has a change for some reason the amended page will be assigned page 105a. This will eliminate the necessity of Xeroxing hundreds of additional pages of new agendas as well as eliminate the need for council members to change all of their notations on pages already reviewed. [MALINOWSKI]. This item was forwarded to the Rules and Appointments Committee. ACTION: CLERK OF COUNCIL**
- b. **Start a search for the relocation of the storage of Election Voting Machines and equipment and possible the Election Commission's office [JACKSON]. This item was forwarded to the D&S Committee. ACTION: CLERK OF COUNCIL**
- c. **Religious places located in GC or Industrial areas shall not be subjected to the regular buffers as in properly zoned districts [JACKSON]. This item was forwarded to the D&S Committee. ACTION: CLERK OF COUNCIL**
- d. **To implement Richland County Community Gardens as a part of the Richland County Healthy Lifestyle Initiative and to be housed with NIP to promote partnerships with neighborhoods and communities. Support from other County Departments is important for sustainability [DIXON]. This item was forwarded to the D&S Committee. ACTION: CLERK OF COUNCIL**
- e. **Request that the SCAC post the Rules, Regulations, and Bylaws on the SCAC website and that each County and/or County Chair should have the opportunity to make a recommendation to the board regarding their representative when vacancies become available and that the representative should be term limited [DICKERSON]. This item was forwarded to the Rules and Appointments Committee. ACTION: CLERK OF COUNCIL**
- f. **Consider purchasing security cameras as a crime prevention mechanism and for the safety of the citizens in Richland County to be placed in strategic locations along distressed corridors and communities where crime is increasingly an issue per the recommendation of Sheriff Leon Lott and the Community Action Team (CAT) [DICKERSON]. This item was forwarded to the A&F Committee. ACTION: CLERK OF COUNCIL**
- g. **I move that we give First Reading by Title Only to an ordinance granting a sewer easement to Lexington/Richland 5 School District over a portion of TMS # 03300-01-06 [WASHINGTON]. Council unanimously gave first reading approval by title only to the ordinance. ACTION: ADMINISTRATION, LEGAL, PLANNING, UTILITIES, CLERK OF COUNCIL**

**Adjournment:** Council adjourned at 9:23 p.m.