

**RICHLAND COUNTY GOVERNMENT**



**OFFICE OF THE COUNTY ADMINISTRATOR  
COUNCIL ACTIONS REPORT  
COUNCIL MEETING  
September 17, 2013  
6:00 p.m.  
Amended**

**Call to Order:** Washington

**Invocation:** Pearce

**Pledge of Allegiance:** Pearce

**Approval of Minutes:**

- a. **Regular Session: September 10, 2013.** Motion for reconsideration of Mitigation Bank Update Under Executive Session, Item F from the September 10, 2013 Council Meeting Minutes, was unanimously approved and added to the Report of the Attorney for Executive Session Items as Item 2d.

The remainder of the Minutes was approved as published.

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

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

- a. **Columbia Venture**
- b. **Northwest Sewer Litigation Update**
- c. **Fire Ad Hoc Committee**
- d. **Mitigation Bank Update**

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

**Report of the County Administrator:**

- a. **9<sup>th</sup> Annual Neighborhood Planning Conference.** Planning and Development Director, Tracy Hegler, stated the conference, titled *Plan it or Chance it*, is scheduled for Saturday, October 12, 2013 at the Columbia Metropolitan Convention Center from 8:00 a.m. to 2:30 p.m. Renowned guest speaker, Ellen Dunham Jones, Professor at the Georgia Institute of Technology, will speak about urban designs and retrofitting vacant structures, among other featured guests.

Ms. Hegler noted the department was also recently given the 2012 Grassroots Effort Award by the American Planning Association (APA) for the department's presentation on how planning benefits communities. The APA noted the session was the first of its kind it had seen in its history.

- b. Strategic Plan Update.** Mr. McDonald stated the plan is currently being reviewed. In the next few months staff will provide a proposal to the A&F Committee with recommendations for how the plan can be rewritten to improve it and make it a more effective living and working document.
- c. Introduction of New Employee.** Mr. McDonald stated Randy Cherry, the previous Research Manager, has returned to the County. He is now the Business Liaison and is responsible for working with businesses and improving the County's business processes.

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

- a. Council Individual Photos, October 1st, 3:00-5:00, 4th Floor Conference Room.** Ms. Onley stated photos will be taken prior to the next Council meeting and to contact her to schedule individual appointments.
- b. Renaissance Foundation's 2<sup>nd</sup> Annual Gospel Heritage Festival Awards: Featuring Rev. Shirley Caesar, September 22, 2013, 6:00 p.m., Koger Center.** Ms. Onley reiterated the details of the event.

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

- a. Sewer System Ad Hoc Committee.** Mr. Washington stated the formation of a committee was necessary to determine whether the County's sewer system will be sold or privatized.
- b. Transportation Committee Work Session.** Several items will be sent to the Transportation Ad Hoc Committee from the September 17, 2013 Transportation Committee Work Session for further consideration and to make recommendations to the Council.

#### **Presentations:**

- a. ConnectSC.** Heather Jones, State Program Manager, provided details of the program, which endeavors to create better economic and life opportunities by expanding access, adoption and use of broadband across South Carolina.

The program guides communities through an assessment of their overall broadband and technology innovation, using established criteria as a part of a "community certification" model. The program helps train regional team leaders and supports the formation of community planning teams made up of various

sector representatives.

**Open/Close Public Hearings:**

- a. **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. No one spoke.**

**1. Consent Items:**

- a. **[REMOVED] 13-17MA  
Steven Mungo/Gerald Steele  
RU to RS-LD (58.7 Acres)  
1842 Kennerly Rd.  
04200-04-07 & 08 [THIRD READING]. A motion to defer indefinitely was unanimously approved. ACTION: PLANNING, CLERK OF COUNCIL**
- b. **13-19MA  
Will Holmes  
RS-MD to OI (15.26 Acres)  
2312 Clemson Rd.  
20200-01-30 [THIRD READING]. Council unanimously gave third reading approval to the map amendment. ACTION: PLANNING, CLERK OF COUNCIL**
- c. **13-25MA  
Mukesh Thakkar  
RU to RC (1.76 Acres)  
10447 & 10453 Wilson Blvd.  
15000-02-09 [THIRD READING]. Council unanimously gave third reading approval to the map amendment. ACTION: PLANNING, CLERK OF COUNCIL**
- d. **[REMOVED] 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 [THIRD READING]. Council unanimously gave third reading approval to the ordinance with the following amendment to Section 1(f) as proposed by bond counsel, Frannie Heizer:**

“The bonds are for the cost of defraying capital projects which shall be specifically approved by County Council before the expenditure of any bond proceeds.”

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

- e. **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 [SECOND READING].** Council unanimously gave second reading approval to the ordinance. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, BUILDING & INSPECTIONS, LEGAL**
- f. **[REMOVED] 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 [SECOND READING].** Council unanimously gave second reading approval to the ordinance. Staff was directed to provide clarification on questions in reference to backup materials prior to third reading. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, BUILDING & INSPECTIONS, LEGAL**
- g. **[REMOVED] An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Unassigned Fund Balance for feasibility studies (\$420,000), Olive Branch Network (\$50,000), and Capital City Classic (\$47,000) [SECOND READING].**

This item was divided on September 10, 2013 as follows:

- i. **Feasibility Studies.** Council unanimously gave second reading approval to the ordinance to appropriate up to \$420,000. A motion for reconsideration failed.
- ii. **Olive Branch Network.** Council gave second reading approval to the ordinance to allocate \$50,000 from the H-Tax unassigned fund balance. A motion for reconsideration failed.
- iii. **Capital City Classic.** A motion to allocate an additional \$13,000 failed. Council gave second reading approval to the ordinance to allocate \$47,000 from the H-Tax unassigned fund balance.

Staff was directed to provide a list to Council of recommended and funded amounts granted to all H-Tax and A-Tax recipients prior to third reading.

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

## **COUNCIL**

- h. 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 so such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing [SECOND READING]. Council unanimously gave second reading approval to the item. ACTION: ADMINISTRATION, LEGAL, FINANCE, CLERK OF COUNCIL**
- i. 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 [SECOND READING]. Council unanimously gave second reading approval to the item. ACTION: ADMINISTRATION, LEGAL, FINANCE, CLERK OF COUNCIL**

### **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. Council gave third reading approval to the ordinance to include the following amendments:**

  - 1) Construction firms are limited to \$7 million in maximum gross sales;
  - 2) Architecture firms are limited to \$3 million in maximum gross sales.

**ACTION: ADMINISTRATION, PROCUREMENT, FINANCE, LEGAL, CLERK OF COUNSEL**
- b. Proposed Amended Scope of Work for Administration of Richland County's SLBE Program. Council unanimously approved the amended scope of work for Franklin Lee, Esq., Partner, Tydings & Rosenberg LLP in the amount of \$195,182.33 for the development and implementation of procedures and guidelines for the administration of the Small Local Business Enterprise program. ACTION: ADMINISTRATION, PROCUREMENT, FINANCE, LEGAL, CLERK OF COUNSEL**

### 3. Second Reading Items:

- a. **An Ordinance Authorizing an Easement to School District 5 of Lexington and Richland Counties for a Sanitary Sewer Line across land owned by Richland County; specifically a portion of TMS # 03300-01-06.** A motion was unanimously approved to defer the item to the October 1, 2013 Council meeting. **ACTION: ADMINISTRATION, LEGAL, PLANNING, UTILITIES, CLERK OF COUNCIL**
- b. **An Ordinance Amending the Fiscal Year 2013-2014 General Fund Budget to Add Six School Resource Officer Positions for Sheriff's - SRO School District 5.** Council unanimously gave second reading approval to the ordinance contingent upon the school district funding 100% of the costs associated with the positions, as recommended by Daniel Driggers, CFO. **ACTION: SHERIFF, FINANCE, LEGAL, CLERK OF COUNCIL**

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

- a. **Exploration of Water and/or Sewer Service Expansion in Unincorporated Richland County.** Council unanimously approved the following recommendation as outlined in the July 23, 2013 D&S Committee Meeting Minutes:

“ . . . to approve staff moving forward to bring back a preliminary project scope and estimated costs.”

**ACTION: ADMINISTRATION, CLERK OF COUNCIL, PLANNING, UTILITIES**

### 5. Report of Economic Development Committee:

- a. **Resolution Approving the 2013 Assessment Roll for the Village at Sandhill Improvement District.** Council unanimously approved the Committee's recommendation for approval of the Resolution. Staff was directed to follow up with Mr. Malinowski to clarify questions. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, AUDITOR, ASSESSOR, TREASURER**

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

- a. **Notification of Appointments:**
  - a. **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**

Council unanimously approved the Committee's recommendation to reappoint Phyllis Beighley. **ACTION: CLERK OF COUNCIL**

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

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

Council unanimously approved the Committee's recommendation to appoint Shanelle Baker and Robert A. Swanson. **ACTION: CLERK OF COUNCIL**

- c. 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: Derek Burrell, Larry Cooke, Wanda Herron, Harry Plexico and Michael Ray;**  
**DSS representative applicants: Terry D. Blair and John R. Timmons, Jr.;**  
**Youth Council applicants: Aretha Barnes (Job Corps representative) and Joseph Rice, Jr. (Youth Program representative)**

Council unanimously approved the Committee's recommendations to make the following appointments:

- Private Sector Business Representatives: Derek Burrell, Larry Cooke, Wanda Herron, Harry Plexico and Michael Ray
- DSS Representative: Terry D. Blair
- Youth Council - Job Corps representative: Aretha Barnes
- Youth Council - Youth Program representative: Joseph Rice Jr.

**ACTION: CLERK OF COUNCIL**

- b. Discussion from Rules and Appointments Committee:**

- 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 held in committee pending receipt of additional information from the IT department. **ACTION: CLERK OF COUNCIL, INFORMATION TECHNOLOGY, ADMINISTRATION**

- b. **Request that the South Carolina Association of Counties (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 held in committee pending clarification of the following:

- 1) What are the benefits of belonging to SCAC?
- 2) What is the process of being elected to the SCAC board?

**ACTION: CLERK OF COUNCIL**

## 7. Other Items:

- a. **Report of the Hospitality Tax Review Committee:**

- a. **Move that Council appropriate an amount no less than \$100,000 of the Hospitality Tax Non-Recurring funds portion of the Hospitality Tax budget for EdVenture. The final amount to be determined following Council debate on the matter.** Council unanimously approved the Committee's recommendation to grant \$100,000 in H-Tax non-recurring funds to EdVenture for the Next Generation project. **ACTION: GRANTS, FINANCE, CLERK OF COUNCIL**
- b. **Review of the May 13, 2013 Hospitality Tax Committee Memo.** The committee reviewed the memo. No action was taken.
- c. **Review of the Current Hospitality Tax Guidelines.** The recommendation was to change the H-Tax Guidelines to include using H-Tax funds for operations and maintenance of tourism-related buildings including, but not limited to, civic centers, coliseums and aquariums; and tourism-related cultural, recreational or historical facilities in accordance with state law.

A substitute motion was approved to table the item and request the Committee identify and recommend a percentage of funds recipients can



apply toward administrative costs. **ACTION: ADMINISTRATION, GRANTS, CLERK OF COUNCIL**

- d. **Development of Criteria to Measure Accountability for Oversight Purposes.** This item was deferred in Committee. **ACTION: GRANTS, CLERK OF COUNCIL**
- e. **Adding New Ordinance Agencies:** This item was deferred in Committee. **ACTION: GRANTS, CLERK OF COUNCIL**
  - i. **Township**
  - ii. **Renaissance Foundation**
- f. **Create a New Funding Category under Community Promotions to be titled "Special County Promotions". Place organizations that annual receive additional funding through the motions process out the competitive cycle since Council is providing additional funding for these organizations would receive base funding each year at the previous FY level with any funding increases based on CPI. The following organizations will be placed: Olive Branch Network of South Carolina, South East Rural Community Outreach (SERCO).** This item was deferred in Committee. **ACTION: CLERK OF COUNCIL**
- g. **Feasibility Studies Update.** The Committee took no action on this item. Four of the six studies are complete; the other two will be complete in the near future. The results will be reviewed by the Hospitality Tax Review Committee prior to being returned to Council.

The next Hospitality Tax Review Committee meeting is October 1, 2013. **ACTION: CLERK OF COUNCIL**

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

**9. Executive Session:** A motion was unanimously approved to go into Executive Session.

- a. **Columbia Venture.** A motion was approved to direct the County Attorney to proceed as discussed. **ACTION: LEGAL, ADMINISTRATION, CLERK OF COUNCIL**
- b. **Northwest Sewer Litigation Update.** No discussion took place.
- c. **Fire Ad Hoc Committee.** For information only.
- d. **Mitigation Bank Update.** A motion was approved to strike the following phrase

Under Executive Session Item F, Mitigation Bank Update, from the Minutes of the September 10, 2013 Council Meeting:

“ . . . and if necessary, file an Administrative Appeal of the 404 Permit and the 401 Water Quality Certification.”

**ACTION: LEGAL, PUBLIC WORKS, ADMINISTRATION, CLERK OF COUNCIL**

**10. Motion Period:**

- a. **I move that Council give unanimous consent to a Resolution to support participation in the Connected Community Engagement Program [DICKERSON]. This item was unanimously approved and clenched. ACTION: CLERK OF COUNCIL, INFORMATION TECHNOLOGY, PUBLIC INFORMATION, PLANNING**
- b. **To put a hold on all spending for hospitality ordinance agencies until we get an understanding of how money will be spent in unincorporated areas [RUSH]. This item was forwarded to the A&F Committee. ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- c. **To look at hospitality ordinance agencies adopting county procurement guidelines for spent dollars [RUSH]. This item was forwarded to the A&F Committee. ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- d. **To stop the hospitality sales tax program and the collection of that sales tax [RUSH]. This item was forwarded to the A&F Committee. ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- e. **Business Center and Planning Department to create a detailed step by step process for applicants [DIXON]. This item was forwarded to the D&S Committee. ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- f. **Resolution honoring USC Women’s Basketball Coach Dawn Staley on her induction into the Naismith Memorial Basketball Hall of Fame [Livingston]. This item was unanimously approved. ACTION: CLERK OF COUNCIL**

**11. Adjournment:** Council adjourned at 8:33 p.m.