

# **RICHLAND COUNTY GOVERNMENT**



## **Office of the County Administrator**

### **COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS REGULAR SESSION COUNCIL MEETING**

**December 7, 2010**

**6:00 p.m.**

**Call to Order:** Livingston

**Invocation:** Malinowski

**Pledge of Allegiance:** Malinowski

#### **Approval of Minutes**

**Regular Session: November 16, 2010:** Approved as published.

**Zoning Public Hearing: November 23, 2010:** Approved as published.

**Adoption of the Agenda:** Approved as amended.

#### **Report of the County Attorney**

- a. Addendum to the CMRTA IGA**
- b. Project P**
- c. Personnel Matter**
- d. Potential Property Acquisition**

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

#### **Report of the County Administrator**

- a. Recognizing Detention Officer Cunningham for winning the Criminal Justice Bert Friday Award:** Mr. Pope recognized and congratulated Officer Cunningham on her tremendous accomplishment.

- b. **Joint City – County CMRTA Work Session:** Mr. Pope deferred this item to Councilwoman Dickerson who reminded Council of the work session scheduled for Wednesday, December 08, 2010 at 5:30 pm at the CMRTA.
- c. **Update of the Sale of County Property:** Deferred to the December 14, 2010 Council Meeting.
- d. **Potential Property Acquisition:** Executive Session item.
- e. **New Employee Recognition:** Mr. Pope recognized Donald Chamblee, the Deputy Public Works Director and County Engineer.
- f. **Recreation / Entertainment Complex Update:** Mr. Pope stated that a quorum was not present for the December 2 Recreation Ad Hoc Committee meeting, and that the item will be forwarded to the 2011 Council Retreat. **ACTION: ADMINISTRATION**

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

- a. **Retreat 2011:** The Clerk stated that the Parklane Adult Activity Center is available for all of the proposed Retreat dates. Council voted to hold Retreat at that location on January 6 and 7. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- b. **Township:** The Township Board Meeting on Wednesday, December 08, 2010 has been cancelled.
- c. **Swearing In Ceremony:** January 4 at 4pm.

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

- a. **Personnel Matter:** Executive Session
- b. **Redistricting Committee Briefing:** Ms. Kennedy stated that the committee received three proposals, and that a work session is recommended. **ACTION: CLERK OF COUNCIL, LEGAL**

#### **1. Public Hearing Items**

- a. **A Budget Amendment to adjust the budgets for Richland County School District One and Richland County Public Library:** No one spoke.
- b. **An Ordinance Authorizing Certain Economic Development Incentives, including payment of a fee in lieu of property taxes and**

**other related matters, pursuant to a fee agreement between Richland County, South Carolina, and Owen Steel Company, Inc., pursuant to Title 12, Chapter 44, Code of Laws of South Carolina 1976, as amended, for a project involving an investment of not less than \$5,000,000: No one spoke.**

- c. An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-1, Discharge of Firearms in Certain Areas Unlawful; so as to clarify when firearms discharge is allowed: No one spoke.**
- d. An Ordinance Amending the Richland County Code of Ordinances; Chapter 5, Animals and Fowl, so as to specify authority of officer, conditions of impoundment and redemption of animals, and make clarifications pertaining to owner responsibilities: One person spoke.**
- e. An Ordinance Authorizing Quit-Claim Deed to the Palmetto Trust for Historic Preservation for a portion of certain tracts of unimproved land now or formerly known as Laurelwood Lane and Campbell Road, Richland County: No one spoke.**
- f. An Ordinance authorizing quit-claim deed to Jack A. Bryant for a portion of the right of way for an unimproved section of Lake Dogwood Circle, Richland County: No one spoke.**
- g. An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$250,000 of General Fund Undesignated Fund Balance to Nondepartmental for additional funding for Medicare Retiree Insurance: No one spoke.**
- h. A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Hospital Revenue Bonds (Sisters of Charity Providence Hospitals), Series 2011, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended, in the aggregate principal amount of not exceeding \$165,000,000: No one spoke.**
- i. A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its not to exceed \$325,000,000 Hospital Refunding and Improvement Revenue Bonds, to be issued in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended: No one spoke.**

2. **Consent Items**

- a. **A Budget Amendment to adjust the budgets for Richland County School District One and Richland County Public Library [Third Reading]:** Council gave third reading approval to the budget amendment. **ACTION: ADMINISTRATION, BUDGET, FINANCE, AUDITOR, LEGAL, CLERK OF COUNCIL**
- b. **An Ordinance Authorizing Certain Economic Development Incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Richland County, South Carolina, and Owen Steel Company, Inc., pursuant to Title 12, Chapter 44, Code of Laws of South Carolina 1976, as amended, for a project involving an investment of not less than \$5,000,000 [Third Reading]:** Council gave third reading approval to the ordinance and associated documents. **ACTION: ADMINISTRATION, FINANCE, BUDGET, TREASURER, AUDITOR, ASSESSOR, LEGAL, CLERK OF COUNCIL**
- c. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-1, Discharge of Firearms in Certain Areas Unlawful; so as to clarify when firearms discharge is allowed [Third Reading]:** Council gave third reading approval to the ordinance. **ACTION: LEGAL, CLERK OF COUNCIL**
- d. **An Ordinance Authorizing Quit-Claim Deed to the Palmetto Trust for Historic Preservation for a portion of certain tracts of unimproved land now or formerly known as Laurelwood Lane and Campbell Road, Richland County [Second Reading]:** Council gave second reading approval to the quit claim. **ACTION: ADMINISTRATION, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**
- e. [Removed from Consent] **An Ordinance authorizing quit-claim deed to Jack A. Bryant for a portion of the right of way for an unimproved section of Lake Dogwood Circle, Richland County [Second Reading]:** Council tabled the item.
- f. [Removed from Consent] **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$250,000 of General Fund Undesignated Fund Balance to Nondepartmental for additional funding for Medicare Retiree Insurance [Second Reading]:** Council gave second reading approval to the budget amendment. **ACTION: ADMINISTRATION, BUDGET, FINANCE, HUMAN RESOURCES**

- g. 10-27MA, Woodcreek Development Partnership, John Cooper, PDD to amended PDD (8 acres), TMS# 28800-01-10, Spears Creek Church Road [Second Reading]: Council gave second reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- h. 10-28MA, Woodcreek Development Partnership, John Cooper, PDD to amended PDD (49 acres), TMS# 28800-01-09 and TMS# 25800-03-28, Spears Creek Church Road [Second Reading]: Council gave second reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- i. 10-30MA, Cynthia South, Harold H. Snuggs, RS-LD to RS-MD (2.68 acres), TMS# 07306-05-17/18, Brevard Street [Second Reading]: Council gave second reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- j. 10-32MA, Village at Sandhill, Charles Kahn, C-1 to C-3 (0.38 acres) and C-3 to C-1 (0.38 acres), TMS# 22900-02-09A(p), Village at Sandhill (Fashion Drive) [Second Reading]: Council gave second reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- k. An Ordinance amending the “2009 Richland County Comprehensive Plan,” by incorporating the “Broad River Road Corridor and Community Master Plan” into the plan [Second Reading]: Council gave second reading approval to the adoption of the Master Plan. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- l. Amend Ordinance which authorized a Quit Claim Deed to A. Mitchell and M. Snipe:**

  - a. An Ordinance Amending Ordinance 008 (a) – 10 HR and Authorizing a Quit-Claim Deed to Malika R. Snipe for a portion of Hunter’s Road, an unpaved road in the Richland County Road Maintenance System [First Reading]: Council gave first reading approval to the ordinance. ACTION: PUBLIC WORKS, CLERK OF COUNCIL, LEGAL**
  - b. An Ordinance Amending Ordinance 008 (a) – 10 HR and Authorizing a Quit-Claim Deed to Aramide Mitchell for a portion of Hunter’s Road, an unpaved road in the Richland County Road Maintenance System [First Reading]: Council gave first reading approval to the ordinance. ACTION: PUBLIC WORKS, CLERK OF COUNCIL, LEGAL**

- m. [Removed from Consent] **Reduction in Hospitality Tax from 2% to 1.5%:** Council forwarded the item to the Retreat. **ACTION: ADMINISTRATION, FINANCE**
  - n. **Sisters of Charity Providence Hospitals JEDA Hospital Revenue Bonds:** Council approved the Resolution in support of the issuance of hospital revenue bonds by JEDA for Sisters of Charity Providence Hospitals in an amount not to exceed \$165,000,000. **ACTION: ADMINISTRATION, FINANCE, CLERK OF COUNCIL**
  - o. **Palmetto Health JEDA Bond Issuance:** Council approved the Resolution in support of the issuance of Bonds not to exceed \$325,000,000 by JEDA for the benefit of Palmetto Health as required by the enabling act. **ACTION: ADMINISTRATION, FINANCE, CLERK OF COUNCIL**
  - p. **Monroe Conservation Easement Donation:** Council approved the request to accept the conservation easement on 27 acres owned by Delano Monroe. **ACTION: CONSERVATION COMMISSION, LEGAL, CLERK OF COUNCIL**
  - q. **Palmetto Pride Grants:** Council approved the request to accept \$10,418 in grant funds from Palmetto Pride if awarded. **ACTION: GRANTS, BUDGET, FINANCE, SOLID WASTE**
  - r. [Removed from Consent] **Funding for the “Good to Great” Initiative:** Council forwarded this item to the FY 12 Budget Motions List and the 2011 Council Retreat. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
3. **Third Reading Item**
- a. **Ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee-in-lieu of tax agreement, by and between Richland County, South Carolina, and Verizon Wireless, as sponsor, and one or more sponsor affiliates, to provide for a fee-in-lieu of ad valorem taxes incentive, including the grant of an infrastructure credit; and other related matters:** Council gave third reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR, ASSESSOR, TREASURER, BUDGET, FINANCE**
4. **Second Reading Item**
- a. **An Ordinance Amending the Richland county Code of Ordinances; Chapter 5, Animals and Fowl, so as to specify authority of officer,**

**conditions of impoundment and redemption of animals, and make clarifications pertaining to owner responsibilities:** Council deferred this item, and requested the Animal Care Advisory Committee share their recommendations on these items. **ACTION: ADMINISTRATION, ANIMAL CARE**

**5. Report of the Development and Services Committee**

- a. Broad River Additional Access Timber Knoll Drive:** Council approved the purchase of the additional fifty foot access parcel and the swap for the existing fifty foot easement on the treatment plant property. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, UTILITIES, BUDGET, FINANCE**
- b. An Ordinance amending the Fiscal Year 2010 – 2011 Utilities Fund Annual Budget to appropriate \$75,463 of Utilities Fund Interest for Broad River Capital Project Closeout [First Reading]:** Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, UTILITIES, BUDGET, FINANCE**
- c. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (g), On-Premises Signs Permitted in Rural and Residential Districts; so as to establish the maximum height and square footage of signs for institutional uses in the RU Rural District [First Reading]:** Council gave first reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- d. Regulations for boarded up structures**

  - i. The Unsafe Housing Procedures:** Council voted to bring the procedures back when the ordinance is ready. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
  - ii. An Ordinance amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article III, Building Codes; so as to provide regulations for boarded-up structures [First Reading]:** Council gave first reading approval by title only to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

6. **Report of the Administration and Finance Committee**
  - a. **Conservation Easement Donation of 60 acres near Abney Estates Development:** Council approved the request to accept the conservation easement on 60 acres near Abney Estates Development. **ACTION: CONSERVATION COMMISSION, LEGAL, CLERK OF COUNCIL**
  - b. **Shelley Conservation Easement Donation of 82 acres near Ashley Oaks Development:** Council approved the request to accept the conservation easement on 82 acres near Ashley Oaks Development. **ACTION: CONSERVATION COMMISSION, LEGAL, CLERK OF COUNCIL**
7. **Report of the Economic Development Committee**
  - a. **Amendments to Industrial Park Covenants and Restrictions:** Council approved an amended document to include a statement that the Company will pay for the restoration for any environmental contamination on the site. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
8. **Report of Rules and Appointments Committee**
  - a. **Discussion from Rules and Appointments Committee**
    - i. **Midlands Workforce Development Board regarding background checks:** Held in Committee. **ACTION: CLERK OF COUNCIL**
    - ii. **Approved from the July 6, 2010 Council Meeting, Implementation of the Complete Streets Citizen Advisory Committee (CSCAC) and the Complete Streets Technical Advisory Committee (CSTAC):** Held in Committee. **ACTION: CLERK OF COUNCIL**
    - iii. **Visit the term limits for boards and committees [Jackson]:** Held in Committee. **ACTION: CLERK OF COUNCIL**
9. **Report of the Airport Commission**
  - a. **Curtis-Wright Hangar Lease:** Council approved the dissolution of the lease. **ACTION: ADMINISTRATION, LEGAL, HAMILTON – OWENS AIRPORT**
10. **Citizens' Input:** One person spoke.



**11. Executive Session**

- a. **Addendum to the CMRTA IGA:** Council approved the IGA as presented in Executive Session. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
- b. **Project P:** Received as information.
- c. **Personnel Matter:** Council directed the County Attorney to proceed as discussed in Executive Session. **ACTION: CLERK OF COUNCIL**
- d. **Potential Property Acquisition:** Council directed the Administrator to proceed as discussed in Executive Session. **ACTION: ADMINISTRATION**

**12. Motion Period**

- a. **Resolution honoring Earl Brown's 28 years of service to the COG [Hutchinson and Jackson]:** Approved unanimously. **ACTION: CLERK OF COUNCIL**
- b. **Motion to pull the Heir Property Ordinance from the Planning Commission as it was deferred last month and today only three members of nine showed up. This would make ninety days before we get this back which is unacceptable. [Jackson]:** Council recalled the item from the Planning Commission. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- c. A Resolution to accept the referendum results of the November 2<sup>nd</sup> Transportation Sales Tax Initiative and end Mass Transit Fee **[HUTCHINSON & MALINOWSKI]:** Council forwarded the item to the January A&F Committee. **ACTION: ADMINISTRATION**

Be it resolved this 7<sup>th</sup> day of December 2010 that Richland County Council accepts the referendum results of the November 2<sup>nd</sup> Transportation Sales Tax Initiative.

Furthermore, at this time, Richland County Council re-commits to ending the Mass Transit Fee of \$10 and \$15 in June 2011 on all residential and commercial vehicles.

Whereas Richland County will end the Mass Transit Fee in June 2011 and the County Council will not relinquish its obligations to the citizens of the County that are transit dependent or use the CMRTA service on a regular basis.

Therefore be it resolved that Richland County will request by official letter to the Columbia City Council that the City of Columbia fulfill its obligation to temporarily fund CMRTA transit services and operations inside its incorporated limits and Richland County will fund its obligations in the unincorporated area beginning July 1, 2011. This temporary measure will fund transit for two years up to and until the citizens can again consider a ballot initiative in November 2012.

- d. **Resolution for Sylvia Hanna, outgoing first president of the Decker Business Coalition [Manning]:** Approved unanimously. **ACTION: CLERK OF COUNCIL**
  
  - e. **Motion to amend Council's Rules to read: Whenever a meeting is held on the second Tuesday of the month, appropriate written / backup materials for all items of business that are to be included in the Administration and Finance Committee or Development and Services Committee agendas must be delivered electronically to the Administrator's Office no later than the adjournment of the meeting approximately two weeks prior to the committee meeting scheduled meeting dates. [Jackson]:** Council forwarded the item to the Rules and Appointments Committee. **ACTION: CLERK OF COUCIL**
  
  - f. **Special Called Meeting:** Council voted to hold a Special Called Meeting on Tuesday, December 21 immediately following the A&F Committee Meeting. **ACTION: ADMINISTRATION, CLERK OF COUCIL**
13. **Adjournment:** Council adjourned at 10:36 p.m.