



2020 Hampton Street • Room 3063A
P.O. Box 192 • Columbia, SC 29202
(803) 576-2083

Minutes March 20, 2017

Attendance:

Members present: Carol Kososki, Charles Weber, Lee Rambo, Jennifer Carter, Jim Thomas, Becky Bailey and Sam Holland

Absent: Margaret DuBard, John Grego, Virginia Sanders, Glenice Pearson

Others present:

Quinton Epps, Conservation Department
Nancy Stone-Collum, Conservation Department
Charlie Fisher, Conservation Department
Ken Driggers, Contract Legal Counsel

Chair, Carol Kososki welcomed everyone and called the meeting to order without a quorum at 3:30 pm. The meeting was held at the Jim Hamilton-LB Owens Airport Community Room due to a scheduling problem with the 4th floor conference room.

Carol asked Quinton Epps to proceed with the Director's Report while waiting for a quorum.

Conservation Director's Report

Quinton reported staff is still working on a Pinewood Lake Management strategy with Administration. Progress has been made; there are still lingering questions to resolve. Administration has made it clear to the Pinewood Lake Foundation the county will not work on a dam the county does not own and will consider any proposals they wish to offer. DHEC may take additional enforcement action concerning the dam - it must be fixed or allow the water to flow freely.

A quorum was reached when Sam Holland and Becky Bailey arrived.

Carol expressed her concerns regarding the July 1st timeline when RCCC takes over the management of Pinewood Lake and when the Foundation will make decisions about the dam. She asked to see a copy of the management plan at the next meeting.

Staff is working with the county's Procurement Department so the request for proposals for a strategic planning consultant should be advertised shortly.

The Owens Field project is almost finished; there are a few minor stormwater concerns to address. Grassing of the bioretention cell slopes will be in place before the contractor is released but the City of Columbia has no plans to landscape as this was not part of the budget. Rosewood Community Council is likely to undertake some community projects to enhance the trails with small bridges and native plantings.

Approval of Agenda: Charles Weber moved and Jim Thomas seconded the motion to approve the agenda. Motion carried.

Approval of Minutes from February 27, 2017

Charles moved and Jim seconded the motion to approve the minutes as presented. Motion carried.

Code Rewrite

Having adopted the Land Use Element of the Comprehensive Plan in 2015, the Planning Department is now charged with writing new development regulations and zoning ordinances to implement the updated plan. Clarion is the consulting group that will take two years to accomplish the rewrite. The process begins with three public meetings where residents will be asked to offer their viewpoints on community goals and strengths and weaknesses of the current regulations. Meetings will be held Monday, March 27 from 6-8 pm at Lower Richland High School and Longleaf Middle School and on Wednesday, March 29 at Ballentine Community Center from 6-8 pm. Carol requested Quinton prepare a concise list of talking points for RCCC members to use while attending these meetings.

Grant Recommendations

Nancy referred everyone to their copy of grant recommendations. The Historic Committee received 17 grant applications totaling \$551,430. Five proposals received no funding award. The committee's motion recommends \$170,000 in funding for twelve projects which was approved unanimously. The Conservation Committee received \$128,000 in requests from ten applicants; two were denied funding. The committee's motion recommends \$80,000 in allocations which was approved unanimously.

Conservation Easement Presentation

Ken Driggers explained a conservation easement is still the best and most efficient approach to landscape scale conservation. A conservation easement is a restriction on the use of significant real property enforced by a third party resulting in a transfer of value. Property ownership means a landowner has a bundle of rights that may include (depending on the property) the right to build structures, hunt, farm, mine, etc. In a conservation easement, the landowner relinquishes one or more of those rights, generally the right to develop the property. The easement states what is permitted and what is not. Decisions about home sites, outbuildings, ancillary uses are negotiated between the landowner and easement holder.

There are no regulations on a conservation easement unless a federal income tax deduction is taken. The IRS is the only regulatory body involved with the easement. The IRS code prohibits most industrial and commercial uses; it requires the easement be in perpetuity and that it

protects what it says it will protect. Only qualified organizations may hold easements; they must be independent and have the capacity and the willingness to enforce the easement.

An easement must yield a significant public benefit which includes at least one of the following conservation tests:

- Protection of a relatively natural, high quality habitat of fish, wildlife or plants
- Protection of an important historical area
- Preservation of open space (including farm and forestland) for the scenic enjoyment of the public or pursuant to a clearly delineated governmental policy
- Preservation for outdoor recreation and/or education of the public

Most easements do not provide for public access but those that claim recreation or education must be open to the public.

Federal and state tax benefits usually drive most easements. Enhanced incentives were made permanent in 2015 by Congress, allowing landowners to take a deduction up to 50% of their adjusted gross income which can be carried forward over fifteen years. The state income tax credit is capped at \$250/acre with an annual limit of \$52,500. Because tax credits are transferrable, they can be sold. Locally, most conservation lands are assessed at the agriculture use value so there is little change in property taxes. The valuation of the easement is determined by a specialized appraiser who evaluates the before and after values.

Purchase of development rights means cash is exchanged for a portion of the value of the easement. These are almost always bargain sales. RCCC and the Conservation Bank use this approach.

Ken asked how RCCC makes its decisions about where to accept easements. Quinton responded that the Green infrastructure model with its four watershed priority areas should be the guide.

Sentinel Land Support

Nancy requested a vote to submit a letter of support for the MAJIC Sentinel Landscape application. Sam made a motion seconded by Becky for RCCC to send a letter of support. Planning will also send a support letter. Motion carried unanimously.

The meeting was adjourned at 5:10pm.

Respectfully submitted,

Charlie Fisher, Administrative Assistant