

RICHLAND COUNTY GOVERNMENT



**OFFICE OF THE COUNTY ADMINISTRATOR
COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
COUNCIL MEETING
February 19, 2013
6:00 p.m.**

Call to Order: Washington

Invocation: Manning

Pledge of Allegiance: Manning and Boy Scout Troop 202

Approval of Minutes:

- a. **February 5, 2013:** Unanimously approved as published.

Adoption of Agenda: Adopted as amended.

Report of the Attorney for Executive Session Items

- a. **Land Development Code Update**
- b. **MOU Renewal (Contractual Matter)**

Citizens' Input: No one spoke.

Report of the County Administrator:

- a. **CAFR Presentation.** A representative from Elliott Davis gave a presentation regarding the results of the County's Comprehensive Annual Financial Report. Council requested a follow-up work session to be held during budgeting meetings to address additional questions from Council.
- b. **Bills Currently in Legislation.** Mr. McDonald stated that the following legislative items are being tracked, and that he will provide updates to Council as information becomes available.
 - i. **3290/S. 203 "Flow Control" Opposition Resolution (7b)**
 - ii. **FOIA Amendments**
 - iii. **Local Government Funding Formula**

Report of the Clerk of Council:

- a. **Consistency in Leadership Breakfast, Wednesday, March 13, 7:30-9:00 a.m., Seawells.** Council was provided the details of the breakfast where the Richland County Administrator, Tony McDonald, and the City Manager of Columbia, Teresa Wilson, are the guests of honor.
- b. **Together We Can Read 2013.** Council was provided the details of the program scheduled for March 21, 2013 at 9:00 a.m.

Report of the Chairman: The following 2013 Committee/Liaison Appointments were made, with one amendment: Councilman Jeter will replace Chairman Washington on the Discretionary Grants Committee.

a. **Committee Assignments**

Standing Committees (Required by Rules of Council)

Administration and Finance

- Joyce Dickerson
- Torrey Rush
- Damon Jeter
- Paul Livingston
- Greg Pearce

Rules and Appointments

- Julie Ann Dixon
- Bill Malinowski
- Seth Rose

Development and Services

- Norman Jackson
- Julie Ann Dixon
- Bill Malinowski
- Jim Manning
- Seth Rose

Economic Development & Industrial Park

- Damon Jeter
- Paul Livingston
- Seth Rose

Committees Required by Law, Agreement or By-Laws

Nulla Bona Committee (Vice Chair of Council serves on this committee)

- Greg Pearce

Central Midlands Regional Planning Council (COG)

- Joyce Dickerson
- Julie Ann Dixon
- Norman Jackson
- Paul Livingston
- Torrey Rush
- Damon Jeter
- Seth Rose
- Kelvin Washington

Columbia Museum

Board of Assessment Control (Inactive)

Columbia Area Mental Health

- Greg Pearce

EdVenture Museum

- Seth Rose
- Torrey Rush
- Damon Jeter

Palmetto Health Alliance (Richland

- Greg Pearce
- Seth Rose
- Damon Jeter

Soil Conservation

- Julie Ann Dixon
- Seth Rose

School District Two

- Joyce Dickerson
- Julie Ann Dixon
- Jim Manning
- Torrey Rush

LRADAC

- Damon Jeter
- Greg Pearce

Riverbanks Zoo

- Norman Jackson
- Seth Rose
- Kelvin Washington

Memorial Hospital)

- Norman Jackson
- Kelvin Washington
- Paul Livingston
- Greg Pearce

School District One

- Norman Jackson
- Kelvin Washington
- Paul Livingston
- Seth Rose

Recreation Commission

- Norman Jackson
- Torrey Rush
- Kelvin Washington

Richland Airport Commission

- Seth Rose
- Torrey Rush
- Kelvin Washington

Special Committees or Task Forces

Richland County Detention Center

Task Force

- Seth Rose
- Paul Livingston
- Greg Pearce
- Norman Jackson

Regional Recreation Complex

- Joyce Dickerson
- Julie Ann Dixon
- Torrey Rush
- Kelvin Washington

Discretionary Grants Committee

- Damon Jeter
- Torrey Rush
- Jim Manning

Committee Liaisons

(Functions in advisory capacity; improve communications to and from County Government; responsible for making budget recommendations to Council)

Community Relations Council

- Joyce Dickerson

Convention and Visitors Bureau

- Damon Jeter
- Paul Livingston
- Kelvin Washington

City of Columbia Liaison

- Norman Jackson
- Kelvin Washington
- Paul Livingston
- Seth Rose

Towns of Arcadia Lakes, Blythewood, Eastover, Forest Acres, Irmo

- Kelvin Washington
- Bill Malinowski
- Jim Manning
- Seth Rose
- Greg Pearce
- Julie Ann Dixon
- Damon Jeter

Counties

- Julie Ann Dixon
- Kelvin Washington

Delegation

- Julie Ann Dixon
- Damon Jeter
- Norman Jackson
- Kelvin Washington

Library

- Julie Ann Dixon
- Jim Manning
- Seth Rose

Township Auditorium

- Damon Jeter
- Norman Jackson
- Paul Livingston
- Jim Manning
- Greg Pearce

Health Department

Midlands Technical College

- Damon Jeter
- Torrey Rush
- Kelvin Washington

Regional Transit Authority

- Kelvin Washington

River Alliance

- Seth Rose
- Kelvin Washington
- Paul Livingston

Additional Committees

Innovista Ad Hoc Committee

- Paul Livingston
- Torrey Rush
- Kelvin Washington

Transportation Ad Hoc Committee

- Joyce Dickerson
- Norman Jackson
- Paul Livingston (Chair)
- Kelvin Washington
- Jim Manning

Redistricting Ad Hoc Committee (Inactive)

Consolidation/Privatization Ad Hoc Committee

- Norman Jackson
- Torrey Rush
- Seth Rose
- Kelvin Washington

Alvin S. Glenn Detention Center Drop-Off Location Ad Hoc Committee

- Norman Jackson
- Paul Livingston
- Seth Rose
- Kelvin Washington

Decker Center Ad Hoc Committee

- Norman Jackson
- Jim Manning
- Greg Pearce
- Kelvin Washington

International Ad Hoc Committee

- Jim Manning, Co-Chair
- Kelvin Washington, Co-Chair

Fire Ad Hoc Committee

- Torrey Rush
- Greg Pearce
- Julie Ann Dixon
- Kelvin Washington

Tax Increment Financing (TIF) Committee

- Norman Jackson
- Torrey Rush
- Julie Ann Dixon
- Paul Livingston

- b. **Installation of Councilwoman Dickerson as Chair of the National Foundation of Women Legislators (NFWL), State House Rotunda, March 7, 2013 at 11:00 a.m.** Washington extended an open invitation to the event with reception to follow.
- c. **Palmetto Health's "Report of the Tithe"** was provided to Council as information.

Presentations:

- a. **Transitions, Craig Currey, Chief Executive Officer.** Craig Currey, CEO, gave a presentation on the program's 2011-2013 accomplishments and requested \$250,000 in funding from the County.
- b. **The North Columbia Business Association's South Carolina Cornbread Festival, Andelyn D. Rodriguez.** Andelyn Rodriguez gave a presentation on the festival to be held on March 2, 2013 from 10:00 a.m. to 10:00 p.m. Council was invited to participate in the cornbread eating contest. Councilman Livingston was nominated as a contestant by a festival coordinator.
- c. **The Leadership Columbia Class of 2013's Leading by Reading Program, Jacob Cook.** Jacob Cook, Leadership Columbia class member, gave a presentation on the program and invited Council members to participate.
- d. **USDA Rural Development Resolution and Letter of Conditions.** Rusty Craven gave a presentation on the Resolution and the Letter of Conditions. Motion to approve this item passed. The vote to reconsider failed. **ACTION: CLERK OF COUNCIL, UTILITIES, ADMINISTRATION, GRANTS, FINANCE,**

LEGAL

- e. **American Heart Healthy Resolution.** This item was deferred to a Special-Called Meeting to be held on February 26, 2013 at 6:50 p.m. for presentation of the Resolution.

Open/Close Public Hearings:

- a. **Resolution in support of the issuance by the South Carolina Jobs Economic Development Authority of its hospital facilities revenue bonds (the Lutheran Homes of South Carolina, Inc.) Series 2013, 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 not exceeding \$42,000,000.**
No one spoke.
- b. **Authorizing the Execution and Delivery of a purchase agreement between the County and Deja Properties, LLC to provide for the conveyance of certain property owned by and located in the County to Deja Properties, LLC and Thermal Technologies, Inc., and other matters related thereto.** No one spoke.

1. Consent Items

- a. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate the grant expenditure and transfer of \$138,121.33 of non-appropriated funds for programs in the Solicitor's and Sheriff's Offices using said funds related to and from the Lending Tree settlement [THIRD READING].** Council gave third reading approval to the ordinance allocating a one-time request of funds in the amount of \$138,121.33. The Solicitor's Office will expend \$18,121.33 for the Solicitor's Office Girls Empowerment Program and Veterans Treatment Court, and will transfer \$120,000.00 to the Richland County Sheriff's Department Juvenile Arbitration and Summer Camp Programs. Staff is to establish this item as a grant or other funding mechanism by which it is explicit, and in writing, that this is one-time funding, and not part of the Solicitor's or Sheriff Department's permanent base budget.
ACTION: SHERIFF, SOLICITOR, FINANCE, LEGAL, GRANTS, ADMINISTRATION, CLERK OF COUNCIL
- b. **[Removed from Consent] Authorizing the execution and delivery of a Purchase Agreement between the County and Deja Properties, LLC to provide for the conveyance of certain property owned by and located in the County to Deja Properties, LLC and Thermal Technologies, Inc., and other matters related thereto [THIRD READING].** Council unanimously approved,

as amended, to add the following language to the Agreement: 1) the Road Extension will have to be completed according to appropriate road standards / qualifications; 2) a mutually agreed-upon price and scope for the Road Extension; 3) and that purchaser would be required to reimburse seller for damages incurred to the property prior to the purchase. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- c. **13-01MA**
Columbia United FC
Stephen D. Searcy
CC4 to CC3 (24.14 Acres)
Sunbelt Blvd.
09409-01-03 [THIRD READING]
Council gave third reading approval to the map amendment ordinance. **ACTION: CLERK OF COUNCIL, PLANNING, LEGAL**

- d. **13-02MA**
Circle K Inc.
Evan Walton
NC/MH to GC (1.5 Acres)
Fore Ave. & Aubrey St.
22914-02/01/10/11 [THIRD READING]
Council gave third reading approval to the map amendment ordinance. **ACTION: CLERK OF COUNCIL, PLANNING, LEGAL**

- e. **An Ordinance Authorizing Quit Claim Deed to Dorothy Jean Allison Vinson for a certain parcel of land located in Richland County, approximately seven (7) miles northwest of the City of Columbia, being described as a triangular crosshatched area of 0.46 Acres more or less, and being a portion of Richland County TMS # 06600-02-14 [SECOND READING].** Council gave second reading approval to the ordinance. **ACTION: SOLID WASTE, PLANNING, LEGAL, CLERK OF COUNCIL**

- f. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article XI, Energy Conservation Code; Section 6-192, Adopted; so as to adopt and codify the 2009 Edition of the International Energy Conservation Code [SECOND READING].** Council gave second reading approval to the ordinance. **ACTION: BUILDING CODES AND INSPECTIONS, CLERK OF COUNCIL, LEGAL**

- g. **A General Bond Ordinance authorizing and providing for the issuance of Hospitality Tax Revenue Bonds of Richland County, South Carolina; prescribing the form of bonds; providing for the payment of the bonds from the sources provided herein; creating certain funds and providing for payments into such funds; and other matters relating thereto [SECOND**

READING]. Council gave second reading approval to the ordinance. **ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**

- h. A First Supplemental Ordinance providing for the issuance and sale of Richland County, South Carolina, Hospitality Tax Refunding Revenue Bonds, Series 2013, or such other appropriate series designation, in the principal amount not exceeding \$22,750,000; delegating authority to the County Administrator to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto [SECOND READING]. Council gave second reading approval to the ordinance. ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**
- i. An Ordinance Authorizing the issuance and sale not to exceed \$6,000,000 General Obligation Bonds, Taxable Series 2013A, 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 gave second reading approval to the ordinance. ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**

2. Third Reading Items

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Certain Subdivisions Exempt from Road Standards; so as to delete the requirement of county review fees. Council gave third reading approval to the ordinance as amended. ACTION: PLANNING, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**

3. Second Reading Items

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; so as to abolish the Appearance Commission and to amend the Conservation Commission's responsibilities to include appearance. Council gave second reading approval to the ordinance as amended in a substitute motion to include the following additional language: 1) fostering of civic pride in the beauty and nobler assets of the County; 2) in all other ways possible, assure a functionally efficient and visually attractive County in the future; 3) the Commission will support policies which protect and improve the general appearance of all buildings, structures, landscaping and open areas of the County; 4) remaining \$8,000 from the Appearance Commission's budget be transferred to the Conservation Commission's budget. ACTION: CONSERVATION, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**

4. First Reading Items

- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Section 21-21, Transportation Improvement Program; so as to include funds for resurfacing of existing paved roads.** Council unanimously gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**

5. Report of Economic Development Committee

- a. **An Ordinance Authorizing a Fee in Lieu of Tax Agreement between Richland County and Project Form [FIRST READING BY TITLE ONLY].** Council unanimously gave first reading approval to the ordinance by title only. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ECONOMIC DEVELOPMENT, ASSESSOR, AUDITOR, TREASURER**
- b. **Project Form Inducement Resolution.** Council unanimously gave approval to the item. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ECONOMIC DEVELOPMENT, ASSESSOR, AUDITOR, TREASURER**
- c. **Pineview Land Options.** Council gave approval to the item. **ACTION: PUBLIC WORKS, PLANNING, CLERK OF COUNCIL, ADMINISTRATION, ECONOMIC DEVELOPMENT, ASSESSOR, AUDITOR**

6. Report of Rules and Appointments Committee

- a. **Discussion from Rules and Appointments Committee**
 - i. **Community Relations Council Appointments.** The Committee recommended that the Community Relations Council amend their bylaws to determine the number of members needed for their Board of Directors. Motion to approve this item was passed. **ACTION: CLERK OF COUNCIL**
 - ii. **If the number of applicants for a Richland County Board or Committee exceeds the number of available positions, there will be no interviews of those applicants. The reason for this motion is that after the Rules & Appointments Committee takes the time to interview applicants and makes recommendation to full Council based on that interview, Council Members who supported someone else not chosen request an individual vote for political reasons rather than needs of the Committee they applied for. It becomes a waste of the applicant's time to be interviewed and the Committee's time if this is the process preferred. [MALINOWSKI].** The Committee recommended that full Council consider special circumstances only as they arise; otherwise, the item is to remain unchanged. Council approved the motion unanimously. **ACTION:**

CLERK OF COUNCIL

7. Other Items

- a. **A Resolution to appoint and commission Michael Zaprzalka as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County.** Council approved the Resolution unanimously. **ACTION: CLERK OF COUNCIL**
- b. **3290/S. 203 “Flow Control” Opposition Resolution.** This item was included in the County Administrator’s Report, Item b-i. Council approved the Resolution. **ACTION: ADMINISTRATION, GRANTS, SOLID WASTE, CLERK OF COUNCIL**
- c. **Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its hospital facilities revenue bonds (the Lutheran Homes of South Carolina, Inc.) Series 2013, 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 \$42,000,000.** Motion to approve this item was passed. **ACTION: CLERK OF COUNCIL**
- d. **Application for locating a Community Residential Group Home in an Unincorporated Area of Richland County: 4824 Smallwood Road, Columbia, SC 29223.** Motion to deny this application was passed. **ACTION: PLANNING, ADMINISTRATION**
- e. **USDA Rural Development Resolution and Letter of Conditions.** This item was moved up to Presentations, Item D.

8. **Citizens’ Input:** One person spoke.

9. Executive Session

- a. **Land Development Code Update.** No action taken. Provided as information only.
- b. **MOU Renewal (Contractual matter).** Staff is to proceed as directed in Executive Session. Motion for reconsideration failed. **ACTION: LEGAL, CLERK OF COUNCIL**

10. Motion Period

- a. **“I hereby move to direct staff to seek the closing of all sexually oriented businesses (SOBs) operating in violation of the Richland County Sexually Oriented Business Ordinance by any and all legal means necessary for swift and permanent compliance. This will require the present and future assistance of Richland County law enforcement” [ROSE, MALINOWSKI].** Malinowski was added to the motion. Council forwarded this item to the March

D&S Committee. **ACTION: LEGAL, BUSINESS SERVICE CENTER, PLANNING, SHERIFF'S OFFICE, CLERK OF COUNCIL, ADMINISTRATION**

- b. **“Council create an ad hoc committee to study the procurement evaluation process” [MANNING]. Council forwarded this item to the March Economic Development Committee. ACTION: ECONOMIC DEVELOPMENT, PROCUREMENT, FINANCE, LEGAL, ADMINISTRATION**
- c. **“I move that all businesses operating without license and proper license for their businesses be closed. The Business Center should have a list and coordinate with the Sheriff's Department to not just impose a fine but order them closed. Businesses are operating without license, liquor, beer and wine and without the proper license to avoid paying their fair share and be in compliance” [JACKSON]. Council forwarded this item to the March D&S Committee. ACTION: LEGAL, BUSINESS SERVICE CENTER, PLANNING, SHERIFF'S OFFICE, CLERK OF COUNCIL, ADMINISTRATION**
- d. **“Due to the fact that by law SOBs shall exist, I move to close all SOBs that are in violation and develop new criteria that will allow them to exist without hardship causing frivolous lawsuits to the County. Suggestions on the new criteria will follow with input from the Legal Department” [JACKSON]. Council forwarded this item to the March D&S Committee. ACTION: LEGAL, BUSINESS SERVICE CENTER, PLANNING, SHERIFF'S OFFICE DEPARTMENT, CLERK OF COUNCIL, ADMINISTRATION**

11. Adjournment: Council adjourned at 8:13 p.m.