

**RICHLAND COUNTY GOVERNMENT**



**Office of the County Administrator**

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

**July 11, 2006  
6:00 PM**

**CALL TO ORDER:** Mizzell

**INVOCATION:** McEachern

**PLEDGE OF ALLEGIANCE:** McEachern

**POINT OF PERSONAL PRIVILEGE:** Representative Joe Brown, Mayor Pete Amoth, Senator Patterson, and former Representative Alma Byrd were recognized.

**PRESENTATION OF RESOLUTIONS:**

**Richland County's Oldest Registered Voter:** Ida Mae Williams

**Richland County's Youngest Registered Voter:** Denise Sharp

**PRESENTATION: Mr. John Marcy, Chamber of Commerce**

Mr. Marcy presented information to Council regarding the formation of a new Richland County / City of Columbia Steering Committee. Issues before the Committee would include the one-stop-shop entity pertaining to planning / zoning matters; research and development regarding extra-territorial jurisdiction (to potentially include a joint Richland County / City of Columbia Planning Commission); and communication / education programs regarding annexation. Council received this item as information during this portion of the agenda.

**ADOPTION OF THE AGENDA:** The agenda was adopted as amended.

1. Item 2i should be listed under the Consent agenda.

**CITIZEN'S INPUT** – No one spoke.

**APPROVAL OF MINUTES**

**Regular Session: June 20, 2006** – The minutes were approved as submitted.

**Regular Session: June 22, 2006** – The minutes were approved as submitted.

**Zoning Public Hearing: June 27, 2006** – The minutes were approved as submitted.

#### **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS**

- 1. 2006 Clerk's Evaluation**
- 2. Potential Litigation Regarding Implementation of the NPDES Permit**
- 3. Employee Grievances**
- 4. Proposed Whitaker Container Air Curtain Incinerator**
- 5. Purchase of Riverside Golf Property**
- 6. Recreation Property Contract**
- 7. Update on Owens Field Assignment**

#### **REPORT OF THE COUNTY ADMINISTRATOR:**

- 1. NACO Prescription Cards:** Mr. Pope informed Council that the NACO prescription cards will be made available free of charge for citizens of Richland County on Monday, July 17. On this date, a publicity campaign will be launched, to include a press conference at 10:00 a.m. at Finklin Pharmacy, as well as information on the County's website, among other venues.
- 2. Employee Grievances**
- 3. Proposed Whitaker Container Air Curtain Incinerator**
- 4. Purchase of Riverside Golf Property**
- 5. Recreation Property Contract**
- 6. Update on Owens Field Assignment**

Mr. Pope stated that items 2 - 6 would be discussed during Executive Session.

#### **REPORT OF THE CLERK OF COUNCIL:**

- 1. Palmetto Capital City Classic:** Ms. Finch informed Council that the Palmetto Capital City Classic Board will meet Thursday, July 13 at 11:00 a.m. at USC's Lettermen's Lounge for a press conference to kick off the season. Council's attendance is requested.
- 2. Confirm date for Special Called Meeting in July:** Ms. Finch stated that a date for the special called meeting needs to be confirmed. This item was discussed during the motion period.

#### **REPORT OF THE CHAIRMAN:**

- 1. Planning Commission Request for Subdivision Review:** Mr. Mizzell stated that the Planning Commission had asked for Council's reconsideration of subdivision review. No action was taken on this item.

2. **Administrator Search Update:** Mr. Mizzell updated Council on the administrator search process.

**OPEN/CLOSE PUBLIC HEARINGS** – 1a, 1c, 7. One person spoke in favor of 1c.

**APPROVAL OF CONSENT ITEMS** – The following items were approved for the Consent Agenda and adopted by motion of the County Council: 1d, 2b, 2c, 2d, 2e, 2g, 3a, 4a, 4b, 4d. Items 2f, 2i, 2j, and 2k were removed from the consent agenda.

## 1. **THIRD READING ITEMS**

- a. **Ordinance authorizing Development Agreement with Bright-Myers 2001, LLC:** Council gave third reading to the development agreement. **ACTION: PLANNING, LEGAL**
- b. **06-09MA; Bright-Myers 2001, LLC; Robert Fuller; M-1 & RU to GC; Wal-Mart and Associated Development; 17400-11-03 & 14781-04-14/13/12; NW Quadrant of Killian Road & I-77:** Council gave third reading to the zoning map amendment changing the zoning designation from M-1 & RU to GC. **ACTION: PLANNING, LEGAL**
- c. **An ordinance extending the moratorium on either the approval or denial of floodplain management permits for development or construction within a portion of the Congaree River floodplain:** Council approved third reading of the ordinance. **ACTION: PLANNING, LEGAL**
- d. **An Ordinance 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, in order to expand the boundaries of the Park to include certain property owned by Vulcan Construction Materials, L.P., and other matters related thereto:** Council approved third reading of the ordinance to include Vulcan Construction Materials, L.P. in the I-77 Corridor Regional Industrial Park. **ACTION: ADMINISTRATION, LEGAL, AUDITOR'S OFFICE**

## 2. **SECOND READING ITEMS**

- a. **06-21MA; Harold Pickrel; RU to RS-MD; Residential Subdivision; 17500-03-32 (p); West Side of Longtown Road at Holly Ridge:** Council gave second reading to the zoning map amendment changing the zoning designation from RU to RS-MD. Community agreements are to be in place before third reading. **ACTION: PLANNING, LEGAL**

- b. **06-18MA; Brant Taylor; RM-MD to GC; Commercial Warehouse; 22601-01-03; Percival Road near Inglesby Drive:** Council gave second reading to the zoning map amendment changing the zoning designation from RM-MD to GC. **ACTION: PLANNING, LEGAL**
- c. **06-27MA; Chinese Cultural Center; M-1 to GC; Chinese Culture Activity Center; 16104-02-013; 1217 Pineview Drive:** Council gave second reading to the zoning map amendment changing the zoning designation from M-1 to GC. **ACTION: PLANNING, LEGAL**
- d. **06-29MA; Martin Moore; NC to OI; Professional Office Park; 20200-01-18; Clemson Road across from Killian Elementary School:** Council gave second reading to the zoning map amendment changing the zoning designation from NC to OI. **ACTION: PLANNING, LEGAL**
- e. **06-31MA; Mungo Company; RS-LD to NC; Neighborhood Commercial; 24700-02-08 (p); East Side of Lower Richland Boulevard ¼ mile South of US 378:** Council gave second reading to the zoning map amendment changing the zoning designation from RS-LD to NC. **ACTION: PLANNING, LEGAL**
- f. **06-34MA; 24/7 Bonding Co., Inc.; RS-HD to NC (3.2 acres); Neighborhood Commercial; 13416-01-01; Eastway Drive at Bluff Road:** Council deferred this item to the July 18, 2006 Regular Session Council Meeting. **ACTION: PLANNING, LEGAL**
- g. **06-36MA; Jon Williams; HI to RM-MD; Residential Multi-Family; 13607-02-01; SW Corner of Shop Road and Mauney Drive:** Council gave second reading to the zoning map amendment changing the zoning designation from HI to RM-MD. **ACTION: PLANNING, LEGAL**
- h. **An Ordinance Amending the Residency Requirements for Members of the Richland County Planning Commission:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL**
- i. **An Ordinance to Amend the FY 06-07 Budget to Create a Mass Transit Fee of \$30.00 for Each Automobile Registered in Richland County:** Council gave second reading to this item with the following amendment: that the current vehicle registration fee be increased by \$20.00 for owner utilized vehicles and by \$30.00 for commercial vehicles, that the ordinance be amended to include a finding consistent with the equal protection to reflect that commercial users get an additional benefit from mass transit; this will make the general automobile registration fee total be increased to \$40.00 for privately owned vehicles and \$50.00 for commercial owned vehicles; that this be designated separately on the property tax bill as a vehicle registration fee/mass transit fee and that the proceeds from this fee

be utilized to fund the current operating shortfall for the RTA; and to hire a consultant to engage in a global planning of mass transit in Richland County with the 20-year plan to be the goal; that this program be completed prior to January 1, 2008; and that the fee be authorized for one year at a time.

The following friendly amendment was accepted in the motion: to establish a citizen's task force to develop a comprehensive transportation infrastructure plan that includes, but is not limited to, road and street improvements, sidewalks and bikeways, greenways, and transit oriented development. The task force will not exceed 33 people and the task force will be named at the first meeting in October with a mission statement to be adopted at that time for clarification and will be funded from the road maintenance fee. **ACTION: ADMINISTRATION, LEGAL, AUDITOR'S OFFICE, BUDGET**

- j. An Ordinance to Levy and Impose a One Percent Sales and Use Tax, Subject to a Referendum, Within Richland County Pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as Amended; to Define the Specific Purposes and Designate the Projects for Which the Proceeds of the Tax May Be Used; to Provide the Maximum Time for Which Such Tax May Be Imposed; to Provide for a County-wide Referendum on the Imposition of General Obligation Bonds and to Prescribe the Contents of the Ballot Questions in the Referendum; to Provide for the Conduct of the Referendum by the Richland County Election Commission; to Provide for the Administration of the Tax, if Approved; and to Provide for Other Matters Thereto:** Council tabled this item.
- k. An Ordinance Authorizing the Execution of an Intergovernmental Agreement by and between Richland County, South Carolina and the Central Midlands Regional Transit Authority; Providing for Public Transit Services within the County; Providing for the Levying of Ad Valorem Taxes to Provide Sufficient Revenue to Fund the County's Obligation Under the Intergovernmental Agreement; and Other Matters Relating Thereto:** Council tabled this item.

### **3. REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

- a. Approval of Construction Contract to Sloan Construction Company, Inc. for the 2006 Roadway Resurfacing Project:** Council approved the \$875,811 contract with Sloan Construction Company, Inc. for the 2006 Roadway Resurfacing Project. **ACTION: PUBLIC WORKS, PROCUREMENT, BUDGET**

- b. **Approval of Construction Contract for Ridgewood Community Infrastructure Improvements Project:** Council deferred this item to the July 18, 2006 Regular Session Council Meeting. **ACTION: COMMUNITY DEVELOPMENT, PUBLIC WORKS, PROCUREMENT, BUDGET**
- c. **Ordinance to Prohibit the Parking of Vehicles in the Front Yard of any Property Zoned RS-LD, RS-MD, or RS-HD:** Council approved first reading of this item. Staff is to amend current ambiguous ordinance language. **ACTION: LEGAL, PLANNING**

#### 4. REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

- a. **Grant Approval for SE Richland Community Festivals (No Personnel / No Match):** Council approved the grant for SE Richland community festivals. **ACTION: GRANTS DEVELOPMENT, BUDGET**
- b. **Amendment to Hospitality Tax Ordinance to Limit Distribution Increases to No More than 3% Annually:** Council gave first reading approval to the ordinance which amends the current ordinance to establish the basis for future funding increases to the amounts approved in the FY 06-07 budget, and to make the 3% cap effective in the FY 07-08 budget. **ACTION: ADMINISTRATION, LEGAL, BUDGET**
- c. **An Ordinance to Suspend the Requirement that the Business Service Center Collect Hospitality Taxes:** Council deferred this item to the first meeting in September, 2006. **ACTION: ADMINISTRATION, LEGAL**
- d. **An Ordinance Authorizing Deeds to Wesley United Methodist Church (Along Barnwell Street):** Council gave first reading approval to the ordinance authorizing deeds to Wesley United Methodist Church. Council adopted option 2 (the exchange of parcel TMS#R11406-16-26, which is owned by the church, for an equal portion of TMS#R11406-16-17, which is owned by the county. This option also allows for the sale of an additional 31.1' x 183.7' of the county-owned parcel to the church in exchange for the sum of \$20,000. The county will also assist in compacting, clearing and grading of the property.). **ACTION: ADMINISTRATION, LEGAL, BUDGET**

#### 5. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration;** Article VIII, Personnel Regulations; Division 8, Grievance Proceedings; Section 2-478, the Employee Grievance Committee; Paragraph (k); so as to Establish a Time Limit for the County Administrator to Bring Recommendations to Richland County

Council: Council gave first reading approval to the ordinance amendment which establishes a time frame of 20 days for the Administrator to present his recommendations to Council. **ACTION: LEGAL, ADMINISTRATION**

**6. REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. **An Ordinance Amending Ordinance No. 006-06HR, which Authorized a Deed to Forum Development II, LLC for a Certain Parcel of Land Known as Lot 27 (Approximately 2.699 Acres Total) in the Richland Northeast Industrial Park, a Portion of Richland TMS #25800-04-01; so as to Allow Forum Development II, LLC to Assign its Interest in the Property:** Council gave first reading approval to the ordinance. **ACTION: LEGAL, ADMINISTRATION**

- 7. Resolution in Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its Not Exceeding \$12,000,000 Economic Development Revenue Bonds (Young Men's Christian Association of Columbia, SC Project), 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:** Council opened and closed a public hearing on this item. This item will appear on the July 25, 2006 A&F Agenda. **ACTION: ADMINISTRATION**

- 8. CITIZENS INPUT:** 4 people spoke regarding the Rowing Center, and 1 person spoke regarding the smoking ban.

**9. EXECUTIVE SESSION:**

- 1. 2006 Clerk's Evaluation:** Received as information.
- 2. Potential Litigation Regarding Implementation of the NPDES Permit:** The County Attorney is to give a legal opinion on this matter. **ACTION: LEGAL**
- 3. Employee Grievances:** Council upheld the Administrator's recommendations. **ACTION: ADMINISTRATION, HUMAN RESOURCES**
- 4. Proposed Whitaker Container Air Curtain Incinerator:** The Administrator was authorized to advise DHEC that there is no objection to the Air Curtain Incinerator. **ACTION: ADMINISTRATION**
- 5. Purchase of Riverside Golf Property:** The Administrator is to continue negotiations for the Riverside Golf property as discussed in executive session. **ACTION: ADMINISTRATION**
- 6. Recreation Property Contract:** The Administrator is to negotiate an option for the potential recreation property in the northeast. **ACTION: ADMINISTRATION**

**7. Update on Owens Field Assignment:** This item was received as information, and will be placed on the July 18, 2006 Council agenda.

**10. MOTION PERIOD:**

1. The Special Called Wrap-Up Council Meeting will be July 25, 2006 immediately following the A&F Committee meeting.
2. The Richland County / City of Columbia Steering Committee issue presented by Mr. Marcy at the beginning of the meeting was forwarded to the July D&S Committee. **ACTION: ADMINISTRATION**
3. Jeter: Requested an update on the TIF during a September Council meeting. **ACTION: ADMINISTRATION**
4. Dickerson: Requested a resolution honoring Representative Joe E. Brown with regards to the "Commitment to Education that has Transcended Through the Years" banquet in his honor. **ACTION: CLERK OF COUNCIL**
5. Livingston: Requested a resolution commending Harry Huntley on his years of service as Auditor for Richland County. Date of presentation to be determined. **ACTION: CLERK OF COUNCIL**

**11. ADJOURNMENT:** Council adjourned at 9:20 p.m.