

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

ADMINISTRATION & FINANCE COMMITTEE

March 22, 2016
6:00 PM
County Council Chambers

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Mr. Pearce called the meeting to order at approximately 6:01 PM

APPROVAL OF MINUTES

Regular Session: February 23, 2016 – Mr. Livingston moved, seconded by Mr. Manning, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Manning moved, seconded by Ms. Dickerson, to adopt the agenda as published.

Mr. Pearce requested to move Item #10: "Council Motion Regarding the Human Resource Director reporting to the County Administrator" and make it Item #9 to allow both of the Executive Session items to be taken up at the same time.

Mr. Manning moved, seconded by Ms. Dickerson, to adopt the agenda as amended. The vote in favor was unanimous.

ITEMS FOR ACTION

Council Motion Regarding the Utilization of a Special Tax District – Mr. Pearce stated he is bringing forward a request from the Upper Rockyford Lake Homeowners' Association to assist with repairing the dam. This is not intended to be a solution for all the dams in Richland County. It is an option that could be presented for those homeowners' associations who wish to participate.

Basically this would create a special tax district consisting of identified parcels, which the homeowners' association would identify. The residents would present an Election Commission certified petition to Council requesting that a referendum be conducted. Council will then vote to allow the referendum. If the referendum passes, Council will take another vote on whether or not to set up the special tax district. If the special tax district is approved, a commission will be established and initiate a MOU to cover the costs. All costs are to be covered by the homeowners' association.



Council Members Present

Greg Pearce, Chair
District Six

Joyce Dickerson
District Two

Paul Livingston
District Four

Jim Manning
District Eight

Others Present:

Bill Malinowski
Norman Jackson
Torrey Rush
Julie-Ann Dixon
Tony McDonald
Kevin Bronson
Warren Harley
Brandon Madden
Michelle Onley
Larry Smith
Roxanne Ancheta
Daniel Driggers
Kim Roberts
Brad Farrar
Valeria Jackson
Ismail Ozbek
Quinton Epps
Nancy Stone-Collum
Liz McDonald

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Mr. Manning inquired if the referendum would be voted on by the whole County.

Mr. Pearce stated only those identified parcels would be able to vote on the referendum.

Mr. Manning inquired if this item parallels Representative Bernstein and Representative Finlay's proposed bill.

Mr. Lawrence Flynn, Upper Rockyford Lakes homeowners' association's attorney, stated he had met with Representative Bernstein and the proposed bill is substantially similar to the legislation to be utilized for the special tax district. Mr. Flynn requested Representative Bernstein to adjourn debate on the bill. The debate on the bill was adjourned, but the adjourned status has subsequently been removed because there is possibly a funding mechanism.

Ms. Dickerson inquired if this is based on the distress of the particular parcels.

Mr. Flynn stated the residents are trying to figure out a funding mechanism to repair their dam. A member of the Upper Rockyford Lake Homeowners' Association approached Mr. Flynn to assist them with figuring out a way to finance the reconstruction of their dam.

The Upper Rockyford Homeowners' Association has come in as a petitioner in order to create this special tax district. Under State law it allows a group of interested petitioners to create a "special taxing district" for limited government purposes. The limited government purpose they intend to do is to put on taxes, in order to rebuild their dam. Of the 61 parcels, 15% of the registered votes are required to petition Council to authorize a referendum to be held on the decision on whether or not to create the district.

On April 5th, the Upper Rockyford Homeowners' Association will be requesting a resolution on Council to authorize a special referendum to be held on the question of whether or not to create a special tax district solely for the benefit of these 61 homes. The 61 homes are the only people authorized to vote for the petition and it will only appear on their tax bills.

Mr. Pearce stated this is not being brought up as something unique for his district. If the concept works, it could be utilized countywide.

Mr. Rush inquired about the costs to go through this process.

Mr. Flynn stated the specific costs have not been identified. An upper limit of approximately \$10,000 has been established for the election, but he feels it will be significantly lower than that. The legal representation also has an upper limit of \$10,000.

Mr. Rush stated his concern is some communities do not have adequate financial backing; therefore, they may not be able to benefit from a program like this.

Mr. Malinowski inquired about utilizing (H4745) that was passed several years ago. The bill stated the County or municipality could create a special taxing zone. The properties do not have to be contiguous and would allow for building or rebuilding of infrastructure.

Ms. Dickerson expressed concern that not all communities may be able to afford to utilize this plan; therefore, one part of County will be treated differently than other parts of the County because they are less fortunate.

Mr. Manning requested clarification that if the referendum passed and a homeowner on the lake had not supported the referendum they are still required to pay the special tax.

Mr. Flynn answered in the affirmative.

Mr. Manning stated in essence through bonding the 61 homeowners are utilizing government bonding to borrow the money instead of utilizing a financial institution.

Mr. Flynn stated there are two tracts the homeowners are taking: (1) Pursuing the SBA loan and using the tax dollars to pay the SBA loan; or (2) Procuring a loan from a local lender and appropriate the tax dollars for that loan repayment. If the homeowners wanted to issue a bond in the name of the special tax district secured solely by the taxes that would have to come back to Council for approval.

Mr. Manning moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the concept, with any specific application of the concept to be determined by the Council on a case by case basis. The vote was in favor.

Mr. Manning moved, seconded by Mr. Livingston, to take up the time sensitive items first and if time permits to come back to the other items. The vote in favor was unanimous.

Department of Natural Resources – Letter of Support – Mr. McDonald stated the Department of Natural Resources has purchased property off of Garners Ferry Road that has been utilized as a private shooting range and their intent is to open the shooting range up to the public. In order to do that the Department of Natural Resources has to receive approval from the local governing body to proceed.

Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve the request for a letter of support for the acquisition of approximately 131 acres in the County for the development of a public shooting range. The vote in favor was unanimous.

Conservation Department: Transfer of Grant Funds – Ms. Nancy Stone-Collum stated the Conservation Commission had given a grant to the Gills Creek Watershed Association. It was determined in early 2016 the funds were not going to be utilized for various reasons. The Owens Field project is in need of funding to get started; therefore, the Conservation Commission would like to transfer the funds from the Gills Creek Watershed Association to the Owens Field Project.

Mr. Manning moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the request to transfer \$20,000 from FY16 grant funds for GCWA to Professional Services to use in funding trail and stormwater improvements at Owens Field in the Gills Creek watershed. The vote in favor was unanimous.

Motion to Consider Allocating Additional Funding to the Board of Voter Registration & Elections – Mr. Manning moved, seconded by Ms. Dickerson, to table this item. The vote in favor was unanimous.

Bus Shelter Easement Request – Mr. Livingston moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the request to grant an easement to the Central Midlands Regional Transit Authority (CMRTA) for the purpose of installing a bus shelter. The vote in favor was unanimous.

*The Committee went into Executive Session at approximately 6:42 p.m.
and came out at approximately 6:50 p.m.*

Conservation Department: Purchase of Parcel [EXECUTIVE SESSION] – Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to move forward as discussed in Executive Session. The vote in favor was unanimous.

Council Motion Regarding Adherence to County Policies [EXECUTIVE SESSION] – Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council without a recommendation. The vote in favor was unanimous.

Council Motion Regarding the Human Resource Director reporting to the County Administrator – Mr. Manning moved, seconded by Mr. Livingston, to defer this item to the April committee meeting and to have staff provide a current organizational chart, as well as, a proposed organizational chart with the requested change. The vote in favor was unanimous.

Council Motion Regarding Outside Agencies using a Fiscal Agent when Receiving Hospitality Grant Funds – Mr. McDonald stated this item originated with a motion by Councilmen Malinowski and Livingston. During the budget process when Council awards Hospitality or Accommodations Tax funding, the organizations receiving the funding must be a 501(c)(3) or obtain a fiscal agent that is a 501(c)(3) to receive the funds for them.

The motion is beginning in 2018, an organization can only utilize a fiscal agent for one year. In the following year the organization must have obtained their 501(c)(3) status to be eligible to receive funding.

Mr. Manning moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation to approve the policy that beginning in 2018 all organizations that use a fiscal agent to administer grant funded project through the Hospitality Tax grant program can only do so for one fiscal year, after which they must have a 501(c)(3) tax exempt status to receive future Hospitality Tax grant funds from the County. The vote in favor was unanimous.

Council Motion Regarding the Allocation of Funding to Organizations for Multiple Years – Mr. McDonald stated the intent of the motion is outside organizations that request one-time funding are not eligible for funding for the same request in subsequent years.

Mr. Manning moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to approve a policy that organizations that request discretionary funds from Council for one-time funding not be refunded for the same thing in subsequent years. The vote in favor was unanimous.

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

Finance Department: Departments Projected to be over budget for FY16 – This item was held in committee.

Changes to Policy Requiring Employees to Sign Documents – This item was held in committee.

Council Motion to Expand Staff Recruitment Efforts – This item was held in committee.

Council Motion Regarding Hospitality Tax Revenue – This item was held in committee.

ADJOURNMENT

The meeting adjourned at approximately 7:00 PM.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council