

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
November 20, 2012
6:00 p.m.**

Call to Order: Washington

Invocation: Kennedy

Pledge of Allegiance: Kennedy

Presentation of Resolution

- a. **Resolution Honoring the life of Deputy Ryan Rawl and his service to his country in Afghanistan:** Rose presented the Resolution to Deputy Rawl's mother and family.

Approval of Minutes

- a. **Regular Session: November 13, 2012:** Malinowski asked that item a. on page 17 (Palmetto Utilities Update) be removed from the minutes in order to receive clarifying information. Approved as amended.

Adoption of the Agenda: Approved as published.

Report of the Attorney for Executive Session Items: None.

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Richland 101 Graduation:** Council members presented 12 graduates of the program with certificates.
- b. **IT "County Records" Security Recommendations:** Mr. McDonald stated that staff will come back to Council on December 4, 2012 with a strategy and funding options based on the recommendations provided by IT staff on November 13, 2012.

- c. **Employee Grievances – 2 [ACTION]** Council upheld the Administrator’s recommendations on both. **ACTION: HUMAN RESOURCES**

Report of the Clerk of Council

- a. **Proposed 2013 Council Meeting Calendar [ACTION]:** Approved as presented.
- b. **Work Session Reminders:** Council was reminded of the following Work Sessions.
 - a. **Regional Recreation Complex Interviews, November 27th, 3:00PM**
 - b. **Council Rules Work Session, November 27th, 4:00PM**
 - c. **Business Friendly Task Force, November 29th, 5:00PM**

Report of the Chairman

- a. **Penny Referendum Next Steps:** Mr. Livingston updated Council on the next steps of the Transportation Penny process. An RFP for a program management firm(s) and a Transportation Director Job Description are being developed. A first draft of the Small, Local, Minority Businesses procurement ordinance revisions has been received.

Presentations

- a. **Columbia Metropolitan Convention Center:** Rick Luber and Kelley Barbrey thanked Council for supporting the Convention Center and gave an update on a successful year.

Open/Close Public Hearings

- a. **An Ordinance Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood, South Carolina relating to [Project Resolve] and the business license fees on the investments by [Project Resolve], and other matters related thereto:** No one spoke.
- b. **An Ordinance Authorizing the Second Amendment of that certain Fee Agreement by and between Richland County, South Carolina and [Project Resolve], relating to, without limitation, the payment to Richland County of a fee in lieu of taxes and the grant of a special source revenue credit to [Project Resolve], and other matters relating thereto:** No one spoke.

1. Consent Items

- a. **[Removed from Consent] An Ordinance Authorizing the Second Amendment of that certain Fee Agreement by and between Richland County, South Carolina and [Project Resolve], relating to, without limitation, the payment to Richland County of a fee in lieu of taxes and the grant of a special source revenue credit to [Project Resolve], and other**

matters relating thereto **[THIRD READING]**: Council gave third reading approval to the item. The vote to reconsider failed. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- b. **[Removed from Consent] An Ordinance Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood, South Carolina relating to [Project Resolve] and the business license fees on the investment by [Project Resolve], and other matters related thereto [THIRD READING]**: Council gave third reading approval to the item. The vote to reconsider failed. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- c. **12-32MA**
Terry Darragh
Richland County Landfill, Inc. RU to HI (79.11 Acres) Screaming Eagle Rd. 31600-02-18(p) [THIRD READING]: Council gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- d. **[Removed from Consent] An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; so as to repeal the Green Code Standards and to have Section 26-186 read as "Reserved" [THIRD READING]**: Council deferred this item for six months. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- e. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26- 176, Landscaping Standards; Subsection (J), Protection of Existing Trees During Development; Paragraph (3), Exemption - Protection; so as to remove buffer and BMP requirements for forestry activities [THIRD READING]**: Council gave third reading approval to this text amendment ordinance removing buffer and BMP requirements for forestry activities. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- f. **An Ordinance Authorizing a Quit-Claim Deed to Mary Tyler Robinson for an unnamed road shown on a plat in Plat Book "13" at Page 147 and recorded in the Richland County Register of Deeds; and being further described as Richland County TMS# 07313-07-01[SECOND READING]**: Council gave second reading approval to the quitclaim of the unopened road back to the Robinson family as requested. **ACTION: PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**

- g. **An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS# 15209-01-04, also known as 218 McNulty Street [SECOND READING]**: Council gave second reading to the item. **ACTION: LEGAL, CLERK OF COUNCIL**

- h. **[Removed from Consent] Authorizing the execution and delivery of an agreement between the County and [Project Resolve] to provide for the conveyance of certain property from the County to [Project Resolve] and other matters related thereto [SECOND READING]:** Council gave second reading approval to this item. Council requested that Exhibit A, property description, be added to this item before third reading. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- i. **[Removed from Consent] An Ordinance Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement (the "Incentive Agreement") between Richland County, South Carolina (the "County") and Constantia Hueck Foils L.L.C., acting for itself, and one or more affiliates or other project sponsors (the "Company"), whereby, under certain conditions, the County shall grant incentives to the Company in connection with the expansion of certain manufacturing facilities in the County (the "Expansion Project"), in which agreement the County will covenant to accept certain negotiated fees in lieu of Ad Valorem taxes with respect to the Expansion Project; (2) Certain special source credits in connection with the Expansion Project; (3) the benefits of a Multi- County Industrial or Business Park to be made available to the Company; and (4) other matters relating thereto [SECOND READING]:** Council gave second reading approval to this item. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

2. Report of the Economic Development Committee

- a. **A Resolution Consenting to the interest in transfer of the Fee In Lieu of Tax Agreement among Richland County, South Carolina, Celco Partnership and Spears Creek Realty, LLC; and other related matters:** Council approved the Resolution. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- b. **A Resolution Approving the transfer of the Unexpired Manufacturer's Abatement from C&C Metal Fabrication, Inc. to AAA Septic Tank Installation and Repair LLC; and other related matters:** Council approved the Resolution. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- c. **An Ordinance Authorizing (1) the execution and delivery of a Special Source Credit Agreement between Richland County, South Carolina (the "County") and Carolina Ceramics, LLC (the "Company"), whereby, under certain conditions, the County shall allow the Company to claim certain special source credits against the fee in lieu of tax payments made with respect to the Company's manufacturing facilities within the County; (2) the benefits of a Multi-County Park to be made available to the Company, and (3) other matters relating thereto [FIRST READING BY TITLE ONLY]:** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF**

COUNCIL, ASSESSOR, AUDITOR, TREASURER

- d. **Governmental Affairs Representative Services Contract Renewal:** Deferred to December 4, 2012 Council meeting. **ACTION: ECONOMIC DEVELOPMENT, ADMINISTRATION, CLERK OF COUNCIL**
- e. **Bailey Bill Ordinance:** Council approved the interpretation of “owner-occupied” to mean that the 50% minimum expenditure threshold applies to the property at 807 Gervais Street. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR**

3. Report of the Rules and Appointments Committee

a. Notification of Appointments

- a. **Accommodations Tax Committee-3 (positions to be filled: 1 Hospitality, 1 Lodging, and 1 Cultural) One application was received from the following: Sam Agee:** Hold in committee until applicant can be interviewed. **ACTION: CLERK OF COUNCIL**
- b. **Board of Zoning Appeals-1; Applications were received from the following: Terry Brown, Terry L. Edwards, Colie L. Lorick, Jr., Christopher Sullivan:** Mr. Sullivan was appointed. **ACTION: CLERK OF COUNCIL**
- c. **Central Midlands Council of Governments-1; there is one vacancy on this board for an un- expired position; applications were received from the following: Anthony Mizzell, Brandolyn Thomas Pinkston, Beverly G. Turner:** Mr. Mizzell was appointed. **ACTION: CLERK OF COUNCIL**
- d. **Employee Grievance Committee-2:** Executive Session
- e. **Township Auditorium-1; there is one vacancy on this board; applications were received from the following: Jackson Gitonga, Yvonne George Stocker, Andrew Nick Theodore*:** Mr. Theodore was appointed. **ACTION: CLERK OF COUNCIL**

***Eligible for reappointment**

4. Discussion from Rules and Appointments Committee: The following items remain in Committee. **ACTION: CLERK OF COUNCIL**

- a. **Business Service Center Appeals Board-qualifications of recent appointments**
- b. **Community Relations Council Appointments**
- c. **Council Individual Discretionary Account**

5. Other Items

a. Tax Increment Financing (TIF)

a. TIF Chronology: Information only.

b. Authorizing, pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Columbia Renaissance Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto [FIRST READING BY TITLE ONLY]: Council gave first reading approval by title only to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR, ASSESSOR, TREASURER**

c. Columbia Renaissance Redevelopment Plan IGA: Information only.

d. Authorizing, pursuant to Chapter 6 of Title 31, of the South Carolina Code of Laws, 1976, the execution and delivery of an Intergovernmental Agreement relating to the Innovista Redevelopment Plan among Richland County, South Carolina, the City of Columbia, South Carolina, and School District No. 1 of Richland County, South Carolina; and other matters relating thereto [FIRST READING BY TITLE ONLY]: Council gave first reading approval by title only to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR, ASSESSOR, TREASURER**

e. Innovista Redevelopment Plan IGA: Information only.

6. Citizens' Input: No one spoke.

7. Executive Session

a. Palmetto Utilities Update: No action.

b. Personnel Matter: No action.

c. Employee Grievance (2): Council upheld the Administrator's recommendations on both. **ACTION: HUMAN RESOURCES**

8. Motion Period

a. Any utility provider must obtain permission from Richland County Council prior to work being done in unincorporated Richland County. The purpose for this motion is that an entity like the City of Columbia currently runs water lines when and where they want throughout Richland County. If Richland County is supposed to be directing where we do and don't want growth to take place such a practice is detrimental to the effectiveness of the Richland County comprehensive plan. [MALINOWSKI]: Forwarded to the December D&S Committee **ACTION: ADMINISTRATION**

9. Adjournment: Council adjourned at 8:48.