



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

**Council Actions Report
Regular Session Council Meeting
November 3, 2015
6:00PM**

Call to Order: Rush

Invocation: Dixon

Pledge of Allegiance: Dixon

Approval of Minutes

- a. **Regular Session: October 20, 2015:** Approved as amended. Ms. Dickerson's vote, which was in favor of the Motion to name Courtroom 2b in the Judicial Center the Ada Harper James Courtroom item, will be added to the minutes of the October 20, 2015 Special Called Council meeting.

Adoption of Agenda: Adopted as published.

Report of the Attorney for Executive Sessions Items:

- a. **Flooding/Disaster Response - Contractual/Legal**

1. **FEMA Public Assistance and Flood Control Works - Legal Advice**

- b. **Mutual Aid Agreement (RCSD)**

Citizen's Input: One person spoke.

Report of the County Administrator: No report provided.

Report of the Clerk of Council:

- a. **2016 County Council Meeting Dates:** Council approved the 2016 County Council Meeting dates as amended. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**

Report of the Chairman:



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- a. **Flood Relief Strategic Meeting:** The Clerk's Office will coordinate with Administration staff to schedule a Flood Relief Strategic Meeting. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- b. **Charters of Freedom Monument – Site Recommendation:** Council deferred this item to a future Council meeting. Staff will consider the Jim Hamilton–L.B. Owens Airport as a site location for the Charters of Freedom Monument. Any site recommendations presented to Council by staff will include a plan to ensure adequate parking space for tour / school buses visiting the site. **ACTION: ADMINISTRATION, AIRPORT, SUPPORT SERVICES**

Open/Close Public Hearings

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 19, Parks and Recreation; so as to delete the entire Chapter:** No one spoke.

1. Approval of Consent Items

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 19, Parks and Recreation; so as to delete the entire Chapter:** Council gave third reading approval to the ordinance amendment. **ACTION: LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
- b. [Removed from Consent] **Accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance:** Council deferred this item to the November 17, 2015 Council meeting. **ACTION: CLERK OF COUNCIL, PUBLIC WORKS, ADMINISTRATION**
- c. **Tracking List of Developers for Road Construction:** Council approved the concept of maintaining a list of developers who do not fulfill their obligations regarding road construction or maintenance prior to turning roads over to the County. Staff will develop this concept into a practical policy, and bring it back to Council for their consideration at a future Council meeting. **ACTION: PUBLIC WORKS, ADMINISTRATION, LEGAL**
- d. **Pawmetto Lifeline New Program(s) Proposal:** Council approved the request to allow Pawmetto Lifeline to use the number of Richland County pets that participate in each of their new programs toward their contractual obligation of a minimum of 1,200 annual adoptions. **ACTION: ADMINISTRATION, LEGAL, ANIMAL CARE**



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- e. **Airport Capital Improvement Project – Southeast Airfield Clearing and Grading Improvements (formerly known as Taxiway ‘A’ Extension), Change Order 1**
Approval: Council approved a change order in the amount of \$476,255 to the contract with Graham County Land Company for additional work previously identified for award in a second phase Airport Improvement Program (AIP) construction project contract.
ACTION: ADMINISTRATION, LEGAL, FINANCE, AIRPORT, PROCUREMENT

- f. **Approval of an amendment of an existing FAA Airport Improvement Program (AIP) Grant:** Council approved Amendment No. 01 to AIP Grant 020-2014 which increases the amount of the grant by \$375,312 (from \$2,502,108 to \$2,877,420).
ACTION: ADMINISTRATION, FINANCE, AIRPORT, GRANTS

- g. **Motion to Change the way Vehicles are Taxed by the County:** Council directed the County’s lobbyist to contact the South Carolina Department of Revenue to explore whether or not the South Carolina State Code of Laws, Sec. 12-37-2680; Determination of assessed value of vehicle, can be amended to allow for the use of the current month “Black Book” value as the method for assessing the value of vehicles for taxation purposes. **ACTION: ADMINISTRATION**

- h. [Removed from Consent] **Motion to fund the Governor's Cup Road Race in the amount of \$7,000:** Council approved funding the Governor’s Cup Road Race in the amount of \$5,000. The funding will come from the FY 16 Discretionary Hospitality Tax line item. The vote to reconsider failed. **ACTION: ADMINISTRATION, GRANTS, FINANCE**

- i. **County Approval Process for Special Events on County Owned Property; Alcohol on County Owned Property:** Council approved the process for granting a special event permit to an organization for the utilization of County owned property through the submission of a special events application and review of the application by a Special Events Committee, made up of representatives from the County Departments that will be impacted by the event, and allow the sale and/or consumption of alcohol on County property. Staff will bring back the details of the special event approval process (e.g., Special Events Committee members, permit application process) to Council for their consideration at a future Council meeting. **ACTION: ADMINISTRATION, VARIOUS DEPARTMENTS**

2. Second Reading Items

- a. **Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain**



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additional real property located in Richland County; the execution and delivery of a First Amendment to that certain Credit Agreement between Richland County and CD/Park7 Columbia SC High Rise Owner LLC to include such additional property as part of the project site described therein; and other related matters: Council gave second reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

3. Report of the Administration & Finance Committee

- a. **Creation of Three New CASA Caseworker Positions:** Council deferred this item to a future Council meeting. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, CASA**
- b. **An Ordinance Amending the Fiscal Year 2015-2016 Hospitality Tax Fund Annual Budget to appropriate \$75,000 of Hospitality Fund Balance to provide funding for Famously Hot New Year:** Council give first reading approval to the budget amendment in the amount of \$75,000 to fund the Famously Hot New Year. The funding will come from the Hospitality Tax fund balance. **ACTION: ADMINISTRATION, FINANCE, GRANTS, LEGAL, CLERK OF COUNCIL**

4. Report of the Economic Development Committee

- a. **Ordinance to Amend the agreement for designation of the I-77 Corridor Regional Industrial Park dated April 15, 2003 by and between Fairfield and Richland Counties so as to enlarge the park (Seibels Services Group, Inc.):** Council gave first reading approval to the ordinance amendment. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **Authorizing the execution and delivery of a fee-in-lieu of tax agreement by and between Richland County and Project Oro, whereby Richland County will enter into a fee-in-lieu of tax arrangement with Project Oro, and providing for payment by Project Oro of certain fees-in-lieu of ad valorem taxes; providing for the allocation of fees-in-lieu of taxes payable under the agreement for the establishment of a multi-county industrial/business park; and other matters relating thereto:** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

5. Report of Rules and Appointments Committee



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a. Notification Of Appointments

i. Board of Zoning Appeals - 1

Council voted to re-advertise this vacancy. **ACTION: CLERK OF COUNCIL**

ii. East Richland Public Service Commission (Applicant must be a resident of Arcadia Lakes) – 1

Council voted to appoint Catherine Schemel Cook. **ACTION: CLERK OF COUNCIL**

iii. Building Codes Board of Appeals – 3

Council voted to re-appoint Michael Lowman, Greg Mackie and Jesse S. Burke. **ACTION: CLERK OF COUNCIL**

b. Notification of Vacancies

i. Airport Commission – 3

Council voted to advertise these vacancies. **ACTION: CLERK OF COUNCIL**

ii. Lexington Richland Alcohol and Drug Abuse Council (LRADAC) – 2

Council voted to advertise these vacancies. **ACTION: CLERK OF COUNCIL**

iii. Accommodations Tax Committee – 2

Council voted to advertise these vacancies. **ACTION: CLERK OF COUNCIL**

iv. Richland Memorial Hospital Board – 2

Council voted to advertise these vacancies. **ACTION: CLERK OF COUNCIL**

v. Transportation Penny Advisory Committee – 1

Council voted to advertise this vacancy. **ACTION: CLERK OF COUNCIL**

c. Rules and Appointments: Items for Action



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- i. **Ordinance providing for the appointment of Ex Officio members to public bodies whose membership is appointed by the governing body of Richland County. The governing body of Richland County may appoint up to three (3) ex officio members to any board, commission, committee, entity or any other "public body" as defined in the South Carolina Freedom of Information Act whose members are appointed by the governing body of Richland County. Such ex officio members shall pursuant to Roberts Rules of Order have all the privileges of board (or other public entity) membership, including the right to make motions and to vote and to participate in regular or special called meetings and executive sessions, but none of the obligations. Ex officio members have no obligation to participate and should not be counted in determining the number required for a quorum or whether a quorum is present at a meeting. When an ex officio member of any board, commission, committee, entity or any other public body ceases to hold the office that entitles him or her to such membership, his or her membership on the public body terminates automatically [WASHINGTON]:** Council approved amending the language in the Council Rules regarding the Citizens' Input portion of Council meetings to the following: All Richland County Council members appointed by the Council Chair as liaisons to any board, commission, committee, agency, entity or public body ("public bodies") 1) created by an ordinance of Richland County, or 2) funded by Richland County, or 3) whose members are appointed by the governing body of Richland County shall be permitted to attend all meetings of such public bodies, including any executive sessions held by such public bodies.. **ACTION: CLERK OF COUNCIL, LEGAL**
- ii. **Terms of Service - Eligibility Requirements after Two Consecutive Terms:** This item was held in Committee.

6. Other Items

- a. **A Resolution to appoint and commission Manolo Ibarra-Pineda as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, ANIMAL CARE**
- b. **A Resolution to appoint and commission Jesse Kathleen Cody as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, ANIMAL CARE**

7. Citizen's Input: Four people spoke.



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8. Executive Session:

a. Flooding/Disaster Response - Contractual/Legal

1. FEMA Public Assistance and Flood Control Works - Legal Advice: Received as information. No action taken.

b. Mutual Aid Agreement (RCSD): Council approved the Richland County Sheriff Department's (RCSD) Mutual Aid Agreement with the Lexington County Health Service District, West Columbia wherein, the RCSD agrees to provide assistance as available in emergency circumstances as described in the Agreement. **ACTION: CLERK OF COUNCIL, LEGAL, SHERIFF, ADMINISTRATION**

9. Motion Period

a. Determine if an act that amended Section 27-2-105, code of laws of South Carolina, 1976, approved in June 2014, is a violation of Home Rule. Background: The above amended bill gives the state the authority to change county boundaries with no input from the county/counties being affected. This could have a tremendous financial impact on a county by the transfer of millions of dollars of property from one county to another or even changing a county line to put property in a neighboring county to assist with economic incentives for a new business. I also question why the Richland County Lobbyist did not make Richland County aware of this bill as it proceeded at the state level? Currently the Richland County/Lexington County line is being looked into for change and neither county has requested this change or disputed the lines. (See 10-4-15 Tim Flach article in The State for some details). [MALINOWSKI]: Council sent this item to the Rules & Appointments Committee. **ACTION: CLERK OF COUNCIL**

b. Direct staff to update Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, Standards; Subsection (B), to address the height of fences and walls when located in the required side and rear yards. Currently there are no standards. [MALINOWSKI]: Council sent this item to the Rules & Appointments Committee. **ACTION: CLERK OF COUNCIL**

c. Resolution recognizing Angie Stone for her illustrious singing career [LIVINGSTON]: Council unanimously approved the Resolution. **ACTION: CLERK OF COUNCIL**



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- d. **Motion to reopen the Lower Richland Operation Center (LROC) to provide the necessary relief to the citizens still impacted by the flood. This includes managing the warehouse that is receiving donations and managing the volunteers prepared to come in and help the citizens rebuild. NOTE: This should not go to a committee as there are people who do not have time. People are still homeless and roads are still closed. [JACKSON]:** Mr. Jackson withdrew this motion. Mr. McDonald provided an update to Council regarding the current status of the Lower Richland Operation Center (LROC).
- e. **Council consideration for future contract negotiations with the PDT or any other group to reduce the hourly rate for engineers making \$270 and for part-time interns making \$35 per hour. As a council we must be consistent when deciding what is fair and not have the appearance of being discriminatory [JACKSON]:** Council sent this item to the A&F Committee. **ACTION: ADMINISTRATION, TRANSPORTATION**
- f. **Request the National Guard to repair dirt roads and dams. This request should come from administration and do not need to go to committee. The Engineering unit is ready and under the emergency act they can do it without cost or minimal cost. This what they do in other counties and is currently doing in New Orleans [JACKSON]:** No action was taken on this motion. The Legal Department will follow up with the National Guard regarding Mr. Jackson's motion and update Council accordingly. **ACTION: LEGAL**
- g. **Move that the Council Chairman appoint a Committee to bring forward for full council consideration a recommendation for the establishment of a "Richland County Unified Flood Rehabilitation and Preparedness Committee" similar to one created in Nashville, TN following their major flood event. The purpose of this initial planning committee will be to determine the membership and mission of the proposed committee using the Nashville model as a guide. [PEARCE]:** Mr. Pearce withdrew this motion.
- h. **Resolution recognizing Rev. Dr. Jordan D. Smith on his 45th Pastoral Anniversary [JETER]:** Council unanimously approved the Resolution. **ACTION: CLERK OF COUNCIL**

10. Adjournment: Council adjourned at 7:30PM.