

Report Of The Attorney For Executive Session Items

Report Of The County Administrator

3.
 - Donation of Property - Brickyard/Longtown Road

Report Of The Clerk Of Council

Report Of The Chairman

4.
 - Personnel Matter

Open/Close Public Hearings

5.
 - An Ordinance Amending the Richland County Business License Fee Schedule providing a Business License rate for each class of businesses subject to the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general, so as to equally reduce the Business License rate for all rate classifications

Third Reading Items

6.
 - An Ordinance Amending the Richland County Business License Fee Schedule providing a Business License rate for each class of businesses subject to the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general, so as to equally reduce the Business License rate for all rate classifications [**PAGES 19-20**]

First Reading Items

7. An Ordinance Amending the Fiscal Year 2008-2009 General Fund Annual Budget to decrease business license revenue by seven hundred sixty-eight thousand (\$768,000) due to fee adjustments and appropriate undesignated General Fund balance of seven hundred sixty-eight thousand (\$768,000) to offset **[PAGES 22-23]**

Other Items

8. Report of Hospitality Tax Committee
 - a. Renaissance Foundation
 - b. Restriction of the Hospitality Tax Fund Balance Funds

Old Business

Citizen's Input

Adjournment



Richland County Council Request of Action

Subject

2008 Local Government Official of the Year - SC Recreation and Parks Association

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No

Richland County Council Request of Action

Subject

Regular Session: December 16, 2008 [PAGES 6-14]

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, DECEMBER 16, 2008 6:00 p.m.

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.

MEMBERS PRESENT:

Vice-Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Pam Davis, Daniel Driggers, Teresa Smith, David Hoops, Dale Welch, Joseph Kocy, Anna Almeida, Jennie Sherry-Linder, Dwight Hanna, Paul Brawley, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

INVOCATION

The Invocation was given by the Honorable Kit Smith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

Item# 2

PRESENTATION

City Year – This presentation was deferred until January.

CITIZENS' INPUT

Mr. C. B. Smith, Mr. Merrill Donahoe, Mr. Bob Pulliam, Mr. Frank Manning, and Mr. Elliott Powell spoke regarding the renaming of Owens Field Airport.

Senator Kay Patterson presented Ms. Scott with framed copy of an article from The State newspaper.

APPROVAL OF MINUTES

Zoning Public Hearing: November 25, 2008 – Mr. Livingston moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

Regular Session: December 2, 2008 – Ms. Smith moved, seconded by Mr. Pearce, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that a check presentation to LRADAC needed to be added under the Report of the County Administrator.

Ms. Smith moved to unanimously adopt the agenda as amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session items:

- a. **Farmers' Market Update**
- b. **Personnel Matter**

REPORT OF THE COUNTY ADMINISTRATOR

LRADAC Check Presentation – Mr. Pope presented Ms. Debbie Francis with a check.

Economic Development Strategic Plan Update – Ms. Matthews updated Council on this project. The final report should be available in March 2009.

C Funds Update – Mr. Pope stated that Mr. Brown, in the Legislative Delegation office, has expressed that the funds could potentially be released in February 2009.

Project Pet Documents – Mr. Pope stated that all the documents have been executed and Council will be provided updates as the project proceeds.

Joint City/County Ad Hoc Transportation Committee Update – Mr. Pope stated that the next scheduled meeting will be December 23rd at 9:00 a.m. at CMRTA.

Strategic Plan Update – Mr. Pope stated that a draft of the Strategic Plan was included in the agenda packet. Staff has requested that a public hearing be held before the plan is adopted.

Farmers' Market Update – This item was taken up during Executive Session.

Smoking Ban Enforcement Update – Mr. Pope stated that the County's enforcement policy will closely parallel the City's enforcement. All pertinent information will be available to the citizens on the County's website and all businesses will receive information during the business license renewal process. The Ombudsman's Office will also be assisting with the enforcement of the smoking ban.

Rowing Club MOU – Mr. Pope stated that the MOU had been forwarded out to Council and would be placed on the agenda in January.

Personnel Matter: Richland County Magistrate – This matter was taken up during Executive Session.

Genesis Report – Mr. Pope stated that the final report was forwarded via e-mail to Council for review.

2009 Council Retreat – Mr. Pope reminded Council that the Retreat will be held January 8th and 9th at the Adult Activity Center on Parklane Road.

REPORT OF THE CLERK OF COUNCIL

Swearing-in Ceremony: January 6, 2009 – Ms. Finch stated that the Swearing-in Ceremony will be held January 6th at 3:30 p.m. in Council Chambers with a reception immediately following.

REPORT OF THE CHAIRMAN

Personnel Matter – Ms. Hutchinson stated that the County Administrator's Evaluation will be taken up during Executive Session.

PUBLIC HEARING ITEMS

Ms. Hutchinson opened the floor to the following public hearing:

- **Ordinance authorizing certain economic incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Richland County, South Carolina, and Project Bay [Koyo Bearings], pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, for a project involving an investment of not less than \$30,000,000 – No one signed up to speak.**
- **Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement between Richland County, South Carolina and Project LOOP; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes – Mr. Pearce moved, seconded by Mr. Montgomery, to defer the public hearing. The vote in favor was unanimous.**

The public hearings were closed.

APPROVAL OF CONSENT ITEMS

Mr. Pearce moved, seconded by Ms. Scott, to approve the following consent items:

- **08-34MA, University Suites, HI to RM-HD (13.94 Acres), Multi-Family Use, 13607-02-01, Bluff Rd. [Third Reading]**
- **08-36MA, Security Federal, NC to OI (2 Acres), Bank, 02505-02-10, Hwy, 176 & Rauch Metz Rd. [Third Reading]**
- **08-37MA, Bruce Oswald, GC to RS-MD (.83 Acres), Residential, 11708-06-06, 5706 Fairfield Rd. [Third Reading]**
- **08-38MA, Deborah Shaffer, RU to RS-LD (2.94 Acres), Residential, 01316-01-01/02/03/04/05/06/07 [Third Reading]**
- **An Ordinance amending the Richland County Code of Ordinances, so as to correctly reflect that Sexually Oriented Businesses are permitted in the HI Zoning District, as well as in the GC Zoning District [Third Reading]**
- **Ordinance authorizing certain economic incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Richland County, South Carolina, and Project Bay [Koyo Bearings], pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, for a project involving an investment of not less than \$30,000,000 [Third Reading]**
- **An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement between Richland County, South Carolina, and Project Loop; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

08-28MA, Sycamore Development, RU to RS-MD (36.35 Acres), Residential, 20500-04-03/01(p)/04(p), Rimer Pond Rd. – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item with the deed restrictions being filed with the County before the land is developed. The vote was in favor.

08-29MA, Sycamore Development, RU to RS-MD (31.23 Acres), Residential, 20500-04-01(p), Rimer Pond Rd. – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item with the deed restrictions being filed with the County before the land is developed. The vote was in favor.

08-03MA, Charlie Waite, Summit Contractors, Inc., HI to RM-HD (27.86 Acres), Multi-Family Apartments, 17400-05-30, Clemson Rd. & Longreen Parkway – Mr. Pearce moved, seconded Mr. Jeter, to approve this item. The vote was in favor.

08-31MA, Jim Poston, M-1 to GC (.92 Acres), Zaxby's, 17400-05-40(p), Clemson & Longtown Rd. – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. The vote was in favor.

An Ordinance Amending the Richland County Code of Ordinances, regarding lighting standards – Mr. Montgomery moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

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, to expand the boundaries of the park to include certain property owned by Primesouth, Inc., and other related matters – Mr. Malinowski moved, seconded by Mr. Livingston, to approve this item with the exhibit being attached before minutes are approved. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Yard Trash and other Household Articles – Ms. Dickerson moved, seconded by Ms. Smith, to give Second Reading to this item and have Council's various questions and concerns addressed before Third Reading. The vote in favor was unanimous.

An Ordinance amending the Richland County Code of Ordinances, Chapter 10, Fire Prevention and Protection – Mr. Pearce moved, seconded by Ms. Smith, to approve this item with the inclusion of the date of March 1, 2009 in Section IV. The vote in favor was unanimous.

Alternative Dirt Road Paving Program/Ordinance to permit adoption of countywide dirt road paving program standards – Ms. Scott moved, seconded by Mr. Livingston, to give Second Reading to this item with the inclusion of Mr. Hoops and Councilman Jackson's distributed amendments to the ordinance. The vote in favor was unanimous.

Eastover Sewer Budget Amendment – The vote in favor was unanimous.

Ordinance Amending the business license fee schedule, placing a cap at an amount to be determined – A discussion took place.

Ms. Smith moved to give a 10% reduction in the business license rates and draft a fund balance amendment. The motion died for lack of a second.

Mr. Montgomery moved, seconded by Ms. Scott, to reduce the business license rates by 20% and hold a Special Called meeting on December 30th.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Jackson	Jeter
Hutchinson	Livingston
Dickerson	Smith
Scott	
Montgomery	

The motion failed.

Mr. Livingston moved, seconded by Mr. Jeter, to reduce the business license rates by 10% and to have the A&F Committee to investigate the business license fee structure.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Hutchinson
Malinowski	
Jackson	
Jeter	
Livingston	
Dickerson	
Smith	
Scott	
Montgomery	

The motion to reduce the business license fee rates by 10% passed.

Ordinance Amending the reassessment of the business license fee structure each year during the budget process – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Report of December 16th Special Called Meeting – The committee recommended renaming the Columbia Owens Downtown Airport to the Jim Hamilton Airport and to have the A&F Committee propose a policy regarding renaming of facilities.

A discussion took place.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Jackson	Smith
Jeter	Montgomery
Hutchinson	
Livingston	
Dickerson	
Scott	

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Planning Commission—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Accommodations Tax Advisory Committee—2** – Mr. Montgomery stated that the committee recommended that staff re-advertise for these vacancies. The vote in favor was unanimous.
- b. **Airport Commission—3** – Mr. Montgomery stated that the committee recommended appointing Mr. James E. Christopher and to re-advertise for the remaining vacancies. The vote in favor was unanimous.
- c. **Board of Assessment Control—1** – Mr. Montgomery stated that the committee recommended that staff re-advertise for this vacancy. The vote in favor was unanimous.
- d. **Lexington/Richland Alcohol and Drug Abuse Council—2** – Mr. Montgomery stated that the committee recommended appointing Mr. Timothy D. Harbeson and Ms. Marilyn M. Matheus. The vote in favor was unanimous.

- e. **Planning Commission—2** – Mr. Montgomery stated that the committee recommended deferring the appointments. The vote in favor was unanimous.
 - f. **Richland Memorial Hospital Board—3** – Mr. Montgomery stated that the committee recommended appointing Ms. Wendi J. Nance, Ms. Candy Y. Waites and Mr. Harry C. Ward. The vote in favor was unanimous.
- III. **Council Individual Discretionary Accounts** – Mr. Montgomery stated that this item was held in committee.

OTHER ITEMS

Report of Hospitality Tax Ad Hoc Committee

- a. **Amendments to the County Promotions Funding Guidelines and Grant Process** – The committee recommended approval of this item with the following amendment: that agencies receiving funding in Round I would not be eligible in Round II. The vote in favor was unanimous.
- b. **Criteria for adding new agencies to the Hospitality Tax Ordinance** – The committee recommended approval of this item. The vote in favor was unanimous.

Request to approve the awarding of a contract to Concurrent Technologies Corporation for professional services related to the County's Federal Brownfield Assessment Grants – Mr. Jeter moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

Strategic Plan Draft – Ms. Smith moved, seconded by Ms. Dickerson, to give preliminary approval to the Strategic Plan on January 6th, hold a public hearing on January 20th, and formally adopt the plan at the first meeting in February. The vote in favor was unanimous.

CITIZENS' INPUT

Ms. Jannie John spoke regarding a postcard that she had received in the mail regarding Lower Richland Recreation projects.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 9:07 p.m. and came out at approximately 10:16 p.m.
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County Administrator Evaluation – Mr. Montgomery stated that the evaluation will be completed and released at the Special Called Meeting on December 30th.

MOTION PERIOD

Washington Trip for Infrastructure Funding from Stimulus Package – Mr. Jackson referred this matter to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 10:21 p.m.

Valerie Hutchinson, Chairwoman

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

- Donation of Property - Brickyard/Longtown Road

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No

Richland County Council Request of Action

Subject

- Personnel Matter

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item

No

On Agenda For Public Hearing

No

Richland County Council Request of Action

Subject

- An Ordinance Amending the Richland County Business License Fee Schedule providing a Business License rate for each class of businesses subject to the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general, so as to equally reduce the Business License rate for all rate classifications

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No

Richland County Council Request of Action

Subject

- An Ordinance Amending the Richland County Business License Fee Schedule providing a Business License rate for each class of businesses subject to the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general, so as to equally reduce the Business License rate for all rate classifications [**PAGES 19-20**]

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-08HR**

AN ORDINANCE AMENDING THE RICHLAND COUNTY BUSINESS LICENSE FEE SCHEDULE PROVIDING A BUSINESS LICENSE RATE FOR EACH CLASS OF BUSINESSES SUBJECT TO THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; ARTICLE 1, IN GENERAL, SO AS TO EQUALLY REDUCE THE BUSINESS LICENSE RATE FOR ALL RATE CLASSIFICATIONS.

WHEREAS, on May 20, 2008, Richland County Council enacted by ordinance a Business License Fee Schedule providing a business license rate for each class of businesses subject to the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, In General; and

WHEREAS, Richland County Council wishes to provide tax relief to businesses subject to payment of a business license fee to Richland County; and

NOW THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL as follows:

SECTION I. The Richland County Business License Fee Schedule, Section (1), is hereby amended as follows:

(1)	RATES	
RATE CLASS	GROSS INCOME: \$0 - \$2,000 (Minimum Fee)	GROSS INCOME: All income over \$2,000 (Rate per \$1,000 or fraction thereof)
1	\$20.00	\$1.00
2	\$22.00	\$1.10
3	\$25.00	\$1.20
4	\$27.00	\$1.30
5	\$30.00	\$1.40
6	\$32.00	\$1.50
7	\$35.00	\$1.60
8	See Class 8 Rates below.	See Class 8 Rates below.

Once the rate has been calculated, ten (10%) percent shall be deducted from the calculated rate and applied as a rate reduction.

SECTION II. Severability. If any section, subsection, or clause of this article shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. All sections of this ordinance shall be effective on and after January 1, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Val Hutchinson, Acting Chair

ATTEST THIS THE _____ DAY
OF _____, 2008.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2008-2009 General Fund Annual Budget to decrease business license revenue by seven hundred sixty-eight thousand (\$768,000) due to fee adjustments and appropriate undesignated General Fund balance of seven hundred sixty-eight thousand (\$768,000) to offset **[PAGES 22-23]**

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. __-09HR

AN ORDINANCE AMENDING THE FISCAL YEAR 2008-2009 GENERAL FUND ANNUAL BUDGET TO DECREASE BUSINESS LICENSE REVENUE BY SEVEN HUNDRED SIXTY-EIGHT THOUSAND (\$768,000) DUE TO FEE ADJUSTMENTS AND APPROPRIATE UNDESIGNATED GENERAL FUND BALANCE OF SEVEN HUNDRED SIXTY-EIGHT THOUSAND (\$768,000) TO OFFSET.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. That the amount of seven hundred sixty-eight thousand (\$768,000) be reduced for business license fees in the FY 2008-2009 General Fund Budget and seven hundred sixty-eight thousand (\$768,000) be appropriated of undesignated General Fund balance. Therefore, the Fiscal Year 2008-2009 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2008 as amended:	\$ 138,135,934
Reduction in Business License Fees	(768,000)
Appropriation of General Fund undesignated fund balance	<u>768,000</u>
Total General Fund Revenue as Amended:	\$ 138,135,934

EXPENDITURES

Expenditures appropriated July 1, 2008 as amended:	\$ 138,135,934
Change to Budget:	<u>0</u>
Total General Fund Expenditures as Amended:	\$ 138,135,934

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE _____ DAY

OF _____, 2008

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

Report of Hospitality Tax Committee

- a. Renaissance Foundation
- b. Restriction of the Hospitality Tax Fund Balance Funds

Purpose

Committee Recommendation

Council Action (First Reading)

Council Action (Second Reading)

Public Hearing

On Agenda As A Consent Item No

On Agenda For Public Hearing No