



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

**Council Actions Report
Regular Session Council Meeting
May 19, 2015
6:00PM**

Call to Order: Rush

Invocation: Pearce

Pledge of Allegiance: Pearce

Presentation of Resolutions

- a. **Building Safety Month Proclamation:** Mr. Rush presented a Proclamation to Donny Phipps, Director – Building Inspections, recognizing May 2015 as Building Safety Month.

Approval of Minutes

- a. **Regular Session: May 5, 2015:** Approved as published.

Adoption of Agenda: Adopted as amended. The Greene Street Phase I Utility Relocation Contingency was added to the agenda as item 22e.

Report of the Attorney for Executive Sessions Items

- a. **Richland County Library Lease**

Citizen's Input: No one spoke.

Report of the County Administrator: Mr. McDonald reminded Council of the upcoming final Budget Work Session and the Budget Public Hearing on Thursday, May 21, 2015 at 4:00PM and 6PM, respectively. Also, Mr. McDonald reminded Council that the items for the budget motion list are due by the close of business on Friday, May 22, 2015.

Report of the Clerk of Council: Ms. McDaniels reminded Council of the upcoming Public Works Luncheon on Wednesday, May 20, 2015 at 11:30AM.

Report of the Chairman



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- a. **Connect SC Award:** Jim Stritzinger, Executive Director of ConnectSC, presented Council with an Award, recognizing the County as “America’s First Certified Connected Capital Community”.

Presentations

- a. **Epworth Children's Home, Rev. John Holler:** Mr. Holler thanked Council for their support of the Epworth Children’s Home and updated Council on the efforts of the Epworth Children’s Home and the services they provide.

Open/Close Public Hearings

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 24, Utilities; Article IV, Sewers and Sewage Disposal; Division 2, Use of Public Sewers; Section 24-81, Use of Public Sewers Required; so as to clarify that the section only applies to new construction:** Ten people spoke.
- b. **Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain real property located in Richland County; the execution and delivery of a Credit Agreement to provide for Special Source Revenue Credits to Icon Columbia SC LLC, previously identified as Project Sandy; and other related matters:** No one spoke.

1. Approval of Consent Items

- a. **15-11MA**
Mark & Cynthia Harrelson
RS-HD to RU (4.04 Acres)
4430 Old Leesburg Rd.
25002-03-03(p): Council gave third reading approval to the rezoning amendment.
ACTION: LEGAL, CLERK OF COUNCIL, PLANNING
- b. **15-16MA**
Elias Dib
OI to RM-MD (3.25 Acres)
Summer Valley Dr.
17216-10-24: Council gave third reading approval to the rezoning amendment.
ACTION: LEGAL, CLERK OF COUNCIL, PLANNING
- c. **15-17MA**



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**Two Notch Commercial Development
MH/NC to GC (1.68 Acres)**

Two Notch Rd. & Aubrey St.

22914-02-03 & 09: Council gave third reading approval to the rezoning amendment.

ACTION: LEGAL, CLERK OF COUNCIL, PLANNING

- d. An Ordinance Amending the Fiscal Year 2014-2015 Hospitality Tax Fund Annual Budget to appropriate Two Million Twenty-Five Thousand Dollars (\$2,025,000) of Hospitality Fund Balance to provide funding for purchasing property associated with Project LM as recommended by the Economic Development Committee:** Council gave second reading approval to the budget amendment in the amount of \$2,025,000. **ACTION: CLERK OF COUNCIL, LEGAL, FINANCE, CAPITAL PROJECTS, ADMINISTRATION, ECONOMIC DEVELOPMENT**

2. Third Reading Items

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26; Land Development; so as to remain in compliance with the National Flood Insurance Program upon the adoption of the new flood insurance rate map:** Council deferred this item to a future Council meeting. **ACTION: LEGAL, CLERK OF COUNCIL, FINANCE, PUBLIC WORKS**

3. Second Reading Items

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 24, Utilities; Article IV, Sewers and Sewage Disposal; Division 2, Use of Public Sewers; Section 24-81, Use of Public Sewers Required; so as to clarify that the section only applies to new construction:** Council gave second reading approval to the ordinance amendment. **ACTION: LEGAL, CLERK OF COUNCIL, UTILITIES**
- b. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain real property located in Richland County; the execution and delivery of a Credit Agreement to provide for Special Source Revenue Credits to Icon Columbia SC LLC, previously identified as Project Sandy; and other related matters:** Council gave second reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- c. Authorizing an Amendment to the Master Agreement governing the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to increase the**



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percentage of the revenues generated by properties located in Richland County to be deposited in the Richland County Industrial Park Fund from three percent to five percent; and other related matters: Council gave second reading approval to the amendment. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

4. Report of Administration and Finance Committee

- a. **Alcohol on County Property: Palmetto Tasty Tomato Festival; Development of Process Moving Forward:** Council referred this item to the A&F Committee. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, AIRPORT, SUPPORT SERVICES, RISK MANAGEMENT, LEGAL**
- b. **McCrary Training Center:** Council approved the Intergovernmental Agreement with the South Carolina Army National Guard to provide emergency medical services (EMS) to the McCrary Training Center located on Leesburg Road. The vote to reconsider failed. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, EMERGENCY SERVICES, LEGAL, FINANCE**

5. Report of Rules and Appointments Committee

a. Notification Of Appointments

i. Planning Commission – 1

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

b. Discussion From Rules And Appointments Committee

i. VOTING:

1. I move that County Council amend its rules to require roll call voting on every vote taken [ROSE]

- a. **Roll Call Voting Options:** Council voted to make no changes to the current procedures being used by Council. **ACTION: CLERK OF COUNCIL**

- ii. **After discussion between the Rules Committee Chair and Clerk to Council it has been determined that the rules of Richland County Council are efficient and outline the duties and responsibilities of each council member.**



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Therefore, it is recommended that the committee review the current policies/procedures for any additional input/changes: Council voted to make no changes to the current procedures being used by Council. **ACTION: CLERK OF COUNCIL**

- 1. Allow members to electronically participate during executive session**
– This item was held in committee pending a legal opinion.

iii. BOARD TERMS:

- 1. Richland County Boards, Commissions, and Committees:** This item was held in Committee. **ACTION: CLERK OF COUNCIL**
- 2. Richland County Boards, Commissions and Committees that have been dissolved:** This item was held in Committee. **ACTION: CLERK OF COUNCIL**
- 3. MOTION: Move that the terms of Board members to the Lexington Richland Alcohol & Drug Commission [LRADAC] be changed from "two, three year terms" to "three, three year terms" so that Richland County appointees have the same opportunities for extended service on this board as Lexington County appointees are currently allowed [PEARCE]:** This item was held in Committee. **ACTION: CLERK OF COUNCIL**

6. Other Items

a. REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

- i. Riverbanks Zoo Project: Bridge Construction over Railroad – Contractor Quote:** Council directed staff to work with the Riverbanks Zoo (Zoo) to approach the contractor currently working at the Zoo for a price quote to construct the bridge as a change order. If the construction price quote is reasonable as it relates to the engineer's estimate, then staff will bring this item back to Council, along with the SLBE participation percentage for Council's consideration. The vote to reconsider failed. **ACTION: TRANSPORTATION, LEGAL, PROCUREMENT, FINANCE**
- ii. Bluff Road Widening Project: Partnering Opportunity with Central Midlands Council of Governments (CMCOG) and County Transportation Committee (CTC):** Council directed staff to move forward in partnering with



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the CMCOG, SCDOT (SC Department of Transportation) and the CTC to include their sidewalk design on Bluff Road and Rosewood Drive within the County managed Bluff Road Widening Project. **ACTION: TRANSPORTATION**

- iii. **Federal Funding for Major Projects: CMCOG:** Council directed staff to formally request federal funding on major Richland Penny Projects in an effort to develop them to federal standards, aligning them for future federal funding should it come available. **ACTION: TRANSPORTATION, ADMINISTRATION**
- iv. **Encroachment Permit: Broad River Road Widening Project:** Council denied this request. The vote to reconsider failed.
- v. **Greene Street Phase I Utility Relocation Contingency:** Council approved a 5% budget increase for the Greene Street Phase I project in the amount of \$640,000 for utility relocations related to the construction of the project. Staff will include a utility relocation contingency moving forward on all major contracts brought before Council. The vote to reconsider failed. **ACTION: TRANSPORTATION, LEGAL, FINANCE, PROCUREMENT**

7. **Citizen's Input:** No one spoke.

8. Executive Session

- a. **Library Lease Update:** Council gave first reading approval by title only to the Library Lease agreement. **ACTION: LEGAL, CLERK OF COUNCIL, FINANCE, ADMINISTRATION**

9. Motion Period

- a. **Participation in Executive Sessions of public bodies created in whole or in part by Richland County: I move that any board, committee, agency, entity or public body created in whole or in part by ordinance or act of Richland County may adopt bylaws and rules of procedure for its operation not inconsistent with the ordinances of Richland County; provided, however, that any board, committee, agency, entity or public body created in whole or in part by an ordinance or act of Richland County shall develop permit any member of the Richland County Council who is a liaison to, or an ex officio member thereof, to attend any executive session such board, committee, agency, entity or public body may hold. Should any board, committee, agency, entity or public body created in whole or in part by Richland**



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County refuse to allow any member of the Richland County Council who is a liaison to, or an ex officio member thereof, to attend any executive session described herein, such refusal shall be reported by either the Chair of County Council, or by any member thereof, at the meeting of County Council after such refusal, or as soon thereafter as is practical. Further, the facts and circumstances of any denial of access to an executive session as provided for herein shall be briefed by or to County Council during the annual budget process. The purpose of this motion is not to overly burden any public body subject to this motion, or to become involved in the day-to-day operations thereof, but instead to exercise appropriate oversight of public bodies created by, funded by, or created and funded by Richland County.”

[WASHINGTON]: This item was sent to the Rules and Appointments Committee.

ACTION: CLERK OF COUNCIL

- b. **Request for financial, operational and management information from entities funded in whole or in part by Richland County: I move that...**“any board, committee, commission, agency, entity or public body or private organization, regardless of size or membership, funded in whole or in part by Richland County provide financial, operational and management information to Richland County, care of its Administrator or the Administrator’s designee, including, but not limited to: [list desired information here] This information should be provided within a reasonable timeframe, but no later than _____, for the County to meaningfully consider the same during its annual budget process. Any public body or private organization or entity that fails to timely provide the requested information, or that provides incomplete information, will be considered to have an incomplete budget request for the budget year to which the information sought pertains, and shall not be considered for County funding for the budget year to which the information sought pertains until all other organizations and entities which have completed budget submissions are considered for funding. In other words, organizations and entities with incomplete budget submissions will be considered for funding last during that budget cycle. Any organization or entity may request a partial or full waiver to provide such information as is described herein, and if, in the opinion of the County’s governing body, there is a valid justification for the failure to provide the information sought (such as an excessive administrative burden), the County’s governing body may grant such a waiver and proceed with the budget funding request at the same point as the organization or entity may have fallen for consideration had such organization or entity filed a completed budget request. For



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purposes of a “waiver” as described herein, the same are to be given only for one budget year at a time, and only on a case-by-case basis.” [WASHINGTON]: This item was sent to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

- c. **Ordinance clarifying Richland County’s role in providing or paying for administrative, legal or other services for public bodies not created by Richland County: “I move that Council pass an ordinance providing that: Richland County shall not provide administrative or other services, or legal representation or funding for legal representation for any board, commission, committee, entity or any other “public body” as defined in the South Carolina Freedom of Information Act as codified at the date of the adoption of this ordinance for any public body that 1) was created or established by any authority other than the governing body of Richland County and 2) whose members are appointed by any authority other than the governing body of Richland County. For any such public body that is required by the United States of America, the State of South Carolina, or any other competent authority, to be funded by Richland County, the same in its budget request shall include requested funding amounts for all administrative, legal or other services it needs to carry out its mission and operations. In other words, if any such organization or entity anticipates the need for legal or other services, for example, that organization or entity should include a funding request for such services so the same may be paid for out of its budget. The purpose of this motion is not to deprive any such organization or entity of services it may need, but to appropriately place the responsibility and authority for such services in the hands of the organization or entity over which Richland County has no role or responsibility other than to provide mandated funding.” [WASHINGTON]: This item was sent to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL****
- d. **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 Robert’s 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**



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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]: This item was sent to the Rules and Appointments Committee.
ACTION: CLERK OF COUNCIL

- e. In attending a meeting with small local businesses, questions came up about the county ordinance allowing franchise businesses participating in the county's SLBE program. Motion to change the SLBE ordinance not to allow franchise businesses to qualify as SLBE [WASHINGTON]: This item was sent to the Office of Small Business Opportunity Ad Hoc Committee. **ACTION: CLERK OF COUNCIL, PROCUREMENT**
- f. Richland County adopt FEMA standards [JACKSON]: This item was sent to the D&S Committee: **ACTION: CLERK OF COUNCIL, ADMINISTRATION, PUBLIC WORKS**
- g. Prior to the approval of any new financial incentives for privately owned student housing construction in Richland County, the City of Columbia and/or University of South Carolina and/or any other educational institution in need of additional student housing will be asked to provide the County with a long range needs assessment of student housing needs [PEARCE]: This item was sent to the A&F Committee. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, ECONOMIC DEVELOPMENT**
- h. Create a Resolution to be forwarded to SCDOT showing Richland County support for placement of signs on I-77 and I-20 indicating the direction/exits for the Fort Jackson National Cemetery. This will assure the fallen defenders of our freedom are not overlooked regarding their final resting place [MALINOWSKI]: Council unanimously approved the Resolution. **ACTION: CLERK OF COUNCIL**

10. Adjournment: Council adjourned at 8:00PM.