

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS REGULAR SESSION COUNCIL MEETING

November 15, 2011

6:00 p.m.

Call to Order: Livingston

Invocation: Jeter

Pledge of Allegiance: Jeter

Approval of Minutes

- a. **Regular Session: November 1, 2011:** Approved as amended.

Adoption of the Agenda: Adopted as amended.

Report of the County Attorney

- a. **Richland County vs. SCE&G [Outside Counsel]:** Council directed staff to proceed as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**
- b. **Darrell's vs. Richland County [Outside Counsel]:** Council directed staff to proceed as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**
- c. **IGA – Fire Contract**
- d. **Executive Session Items [Outside Counsel]:** Received as information.

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Eastover Water - Sewer Negotiations Update:** Mr. Pope stated that staff is working to reschedule a meeting with Eastover, and that updates will be provided. **ACTION: ADMINISTRATION**

- b. **Business Services Reform Task Force Update:** Mr. Pope stated that the next meeting will take place Monday, November 21, 2011 from 4 – 6 pm at the Chamber of Commerce. Updates will be provided. **ACTION: ADMINISTRATION**

Report of the Clerk of Council

- a. **Farm-City Proclamation [Hutchinson and Jackson]:** Teachers and students from Horrell Hill Elementary were recognized for their contributions to Farm-City Week.

Report of the Chairman

- a. **Miss SC Pageant:** Council approved the request. A budget amendment will be prepared and brought to Council for the December 6, 2011 Meeting. **ACTION: ADMINISTRATION, GRANTS, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **Reinstitute TIF Committee:** The Chairman will appoint members. If Council Members are interested in serving on the Committee, they are to submit their names to Mr. Livingston.

Presentations

- a. **Richland County Conservation Commission / Gills Creek Watershed Association / AT&T Foundation:** A check in the amount of \$11,500 was presented by the AT&T Foundation for the project. The Conservation Commission also contributed \$8,500.
- b. **SC Philharmonic, Morihiko Nakahara, Music Director:** Mr. Nakahara thanked Council for their support, and informed them of upcoming events.

1. Public Hearings

- a. **An 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 real property located in Richland County and related to Pure Power Technologies; and other related matters:** No one spoke.
- b. **An Ordinance Authorizing a Deed to Cohn & Cohn Investments, LLC, for approximately 4.94 acres of land, constituting a portion of Richland County TMS #25800-04-01:** No one spoke.

2. Consent Items

- a. **[Removed from Consent] 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 real property located in Richland County, and related matters [Third Reading]: Council deferred the item. ACTION: AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION, ECONOMIC DEVELOPMENT**
- b. **An 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 real property located in Richland County and related to Pure Power Technologies; and other related matters [Third Reading]: Council gave third reading approval to the ordinance. ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- c. **An Ordinance Authorizing a Deed to Cohn & Cohn Investments, LLC, for approximately 4.94 acres of land, constituting a portion of Richland County TMS #25800-04-01 [Third Reading]: Council gave third reading approval to the ordinance. ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ECONOMIC DEVELOPMENT, FINANCE**
- d. **11-14 MA, Ron Johnson/Longcreek Plantation, RU to RS-LD (4.91 acres), TMS# 20500-05-02, Longtown Road [Third Reading]: Council gave third reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- e. **11-18 MA, Adams Northeast AME Church/Kay Hightower, RU to GC (10.62 acres), TMS# 17400-05-12/13/14/26, 409 Longtown Road: [Third Reading]: Council gave third reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- f. **[Removed from Consent] Authorizing the Execution and Delivery of an Amendment to the Fee Agreement between Richland County, South Carolina, and a Company formerly referred to as Project Y to provide for a new effective date and millage rate; and other related matters [Second Reading]: Council gave second reading approval to the Amendment to the Fee Agreement as amended. ACTION:**

**ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR,
AUDITOR, TREASURER, ECONOMIC DEVELOPMENT,
FINANCE**

- g. [Removed from Consent] Hospitality Tax County Promotions Grant Program Changes:** Council approved the Hospitality Tax grant program changes as presented. **ACTION: ADMINISTRATION, GRANTS, FINANCE**

3. Third Reading Item

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Division of Real Property to Heirs of a Decedent; so as to exempt certain subdivisions from road construction requirements:** Council gave third reading approval to the ordinance. Council voted to not reconsider the item. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

4. First Reading Items

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; Subsection (a) (4); so as to increase the amount of funding dedicated to organizations and projects that generate tourism in those areas where Richland County collects Hospitality Taxes:** Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, GRANTS, LEGAL, CLERK OF COUNCIL**
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-332, Boards, Commissions and Committees Created; Subsection (Q), Internal Audit Committee; so as to add members thereto:** Council gave first reading approval to the ordinance. **ACTION: LEGAL, CLERK OF COUNCIL**

5. Report of the Economic Development Committee

- a. Governmental Affairs Representative Services Contract Renewal:** Council approved the item. **ACTION: ADMINISTRATION, PROCUREMENT, FINANCE, ECONOMIC DEVELOPMENT, CLERK OF COUNCIL**
- b. A Resolution Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement between Richland County, South**

Carolina (the “County”) and FedEx Ground Package System, Inc., acting for itself and for one or more affiliates or other project sponsors (the “Company”), in connection with the establishment of certain facilities in the County; (2) the benefits of a multi-county industrial or business park to be made available to the Company; and (3) other matters relating thereto: Council approved the Resolution. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**

- c. **An Ordinance Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement between Richland County, South Carolina (the “County”) and FedEx Ground Package System, Inc., acting for itself and for one or more affiliates or other project sponsors (the “Company”), in connection with the establishment of certain facilities in the County (the “Project”); (2) the County to covenant in such agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the Project; (3) the benefits of a multi-county park to be made available to the Company and the Project; and (4) other matters relating thereto [First Reading by Title Only]: Council gave first reading by title only to the ordinance and associated documents. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE****
- d. **Inducement Resolution for Bottling Group, LLC:** Council approved the Resolution. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- e. **An Ordinance Authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina and Bottling Group, LLC and matters relating thereto [First Reading by Title Only]:** Council gave first reading by title only to the ordinance and associated documents. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- f. **Inducement Agreement for Spirax Sarco, Inc:** Council approved the inducement agreement for Spirax Sarco, Inc. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**

- g. A Resolution Authorizing the execution and delivery of an inducement agreement by and between Richland County, South Carolina, and Spirax Sarco, Inc., whereby, under certain conditions, Richland County will execute an amended fee in lieu of tax agreement for a project involving not less than ten million dollars (\$10,000,000) investment: Council approved the Resolution. ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- h. An Ordinance Authorizing the execution and delivery of an amended fee in lieu of tax agreement between Richland County, South Carolina, and Spirax Sarco, Inc.; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes [First Reading by Title Only]: Council gave first reading by title only to the ordinance and associated documents. ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- i. A Resolution Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement between Richland County, South Carolina (the “County”) and Westinghouse Electric Company LLC, acting for itself and for one or more affiliates or other project sponsors (the “Company”), in connection with the establishment of certain facilities in the County; (2) the benefits of a fee in lieu of tax arrangement, special source credits and multi-county industrial or business park designation to be made available to the Company; and (3) other matters relating thereto: Council approved the Resolution. ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- j. An Ordinance Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement between Richland County, South Carolina (the “County”) and Westinghouse Electric Company LLC, acting for itself and for one or more affiliates or other project sponsors (the “Company”), in connection with the establishment of certain facilities in the County (the “Project”); (2) the County to covenant in such agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the Project (“FILOT Payments”); (3) the Company to claim certain special source credits against such FILOT Payments; (4) the benefits of a multi-county park to be made available to the Company and the Project; and (5) other matters relating thereto [First Reading by Title Only]: Council gave first reading by title only to the ordinance and associated documents. ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL,**

**ASSESSOR, AUDITOR, TREASURER, ECONOMIC
DEVELOPMENT, FINANCE**

- k. Identifying an Economic Development Project to be located in Richland County, South Carolina; authorizing a fee agreement between Project Rocky and Richland County, South Carolina to induce Project Rocky to expand its existing manufacturing facility in Richland County; and other related matters:**
 - l. Authorizing the execution and delivery of a fee agreement by and between Richland County, South Carolina and Project Rocky, as sponsor, to provide for fee-in-lieu of ad valorem taxes and other incentives; authorizing the grant of special source revenue credits; and other related matters [First Reading by Title Only]:** Council gave first reading by title only to the ordinance and associated documents.
ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE
 - m. An Ordinance Authorizing the execution and delivery of an infrastructure credit agreement by and between Richland County and Koyo Corporation of U.S.A., so as to provide, among other things, special source revenue credits for a project; and to provide for other matters related thereto [First Reading by Title Only]:** Council gave first reading by title only to the ordinance and associated documents.
ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE
 - n. An Ordinance Authorizing the first amendment of that certain fee agreement by and between Richland County, South Carolina and Koyo Corporation of U.S.A., relating to, without limitation, the payment to Richland County of a fee in lieu of taxes, an extension of the investment period to allow for continuing and further investment in the project, and the extension of the term of the project [First Reading by Title Only]:** Council gave first reading by title only to the ordinance and associated documents. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- 6. Report of the Fire Ad Hoc Committee:** Executive Session item.
- 7. Community Residential Care Facility in an Unincorporated Area of Richland County: 429 Rockhaven Drive, Columbia, SC 29223 [No Action Required]:** Received as information.

8. **Citizens' Input:** Three people spoke.
9. **Executive Session**
 - a. **Report of the Fire Ad Hoc Committee:** Received as information.
10. **Motion Period**
 - a. Pursuant to a request from Gary Watts, the Richland County, I move that the County Administrator and/or his designee along with the County Attorney meet with the Coroner and Probate Judge Amy McCulloch to determine whether a County ordinance could be developed that would assist in the recovery of costs associated with the disposition of unclaimed decedents. This would only apply to those individuals whose estates are determined to have financial resources available. Explanation: According to the Coroner, the number of families declining custody of their deceased relatives is rising annually with the County having to bear the cost of preparation and burial of these individuals. In many cases, the Coroner and Probate Judge have determined that the decedent's estates have sufficient assets to cover these costs; however, they currently have no means to recover the costs associated with these expenses. [Pearce] Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, LEGAL**
 - b. Motion for resolution from County Council supporting the One-Book, One Columbia reading initiative. This endeavor was a huge success last year in its inaugural year and will be taking place again in 2012. The Richland County library is involved and this is a resolution in which County Council will officially endorse the One-Book, One Columbia initiative. (Note: There is no financial resources tied to this resolution, this is merely showing County Councils support). [ROSE] Council approved the Resolution unanimously. **ACTION: CLERK OF COUNCIL**
 - c. In an attempt to give qualified law firms an opportunity to participate in the county's bond work, we would request that the County Attorney establish a list of qualified firms and the list would be used to rotate the county's bond function. In addition, the county would encourage these firms to ensure that there is minority partnership in the process. [Jeter, Washington] Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, LEGAL**
14. **Adjournment:** Council adjourned at 9:02 p.m.