



**MINUTES OF  
RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
JULY 16, 2013  
6:00 PM**

*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:**

Chair	Kelvin E. Washington, Sr.
Vice Chair	Greg Pearce
Member	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose
Member	Torrey Rush

**OTHERS PRESENT** – Tony McDonald, Roxanne Ancheta, Warren Harley, Brad Farrar, Justine Jones, Amelia Linder, John Hixon, Geo Price, Tracy Hegler, Dwight Hanna, Sara Salley, Nelson Lindsay, Dale Welch, David Hoops, Chris Eversmann, Lauren Holm, Nancy Stone-Collum, Justin Martin, Rodolfo Callwood, Ismail Ozbek, Monique Walters, Michelle Onley

**CALL TO ORDER**

The meeting was called to order at approximately 6:02 p.m.

**INVOCATION**

The Invocation was given by the Honorable Jim Manning

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Jim Manning

## PRESENTATION OF RESOLUTIONS

- a. **Resolution Honoring Anna Wimberly, Richland School District Two Bus Driver, for her heroic action and judgment on keeping the children safe until assistance arrived [DIXON]** – Ms. Dixon presented Ms. Wimberly with a resolution honoring her heroic actions.
- b. **Resolution Honoring the Richland County Wellness Program and the impact it has on the lives and wellbeing of County staff and the citizens of Richland County [DIXON]** – Ms. Dixon and Mr. Hanna honored the employees that have participated in the County's Wellness Program. A resolution will be forthcoming.
- c. **2013 National Aviation Week Proclamation** – This item was deferred until the July 23<sup>rd</sup> Special Called meeting.

## APPROVAL OF MINUTES

**Regular Session: July 2, 2013** – Mr. Pearce moved, seconded by Mr. Rose, to approve the minutes as distributed. The vote in favor was unanimous.

## ADOPTION OF THE AGENDA

Mr. Manning moved, seconded by Mr. Rush, to approve the agenda as distributed. The vote in favor was unanimous.

## REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

- a. **City of Columbia Election Fee Agreement** – This item was deferred until the July 23<sup>rd</sup> Special Called meeting.
- b. **Richland Library Referendum** – No action was taken.
- c. **Sewer System RFP Inquiry**

## CITIZENS INPUT

No one signed up to speak.

## REPORT OF THE COUNTY ADMINISTRATOR

- a. **Richland County Coroner's Office: International Association of Coroners & Medical Examiners Accreditation** – Mr. McDonald stated that the Coroner's Office was been recently accredited by the International Association of Coroners and Medical Examiners.

- b. **SCSPE Engineer of the Year Award** – Mr. McDonald congratulated Ismail Ozbek on being awarded the SCSPE Engineer of the Year.
- c. **Introduction of New Employees** – Mr. McDonald welcomed Mr. Warren Harley, Assistant County Administrator and Ms. Beverly Harris, Public Information Director to Richland County Administration.
- d. **Sewer System RFP Inquiry** – This item was taken up during Executive Session.

#### REPORT OF THE CLERK OF COUNCIL

- a. **Reminder: Special Called Meeting, July 23<sup>rd</sup> – Immediately Following Zoning Public Hearing** – Ms. Onley reminded Council of the July 23<sup>rd</sup> Special Called meeting immediately following the Zoning Public Hearing.

#### REPORT OF THE CHAIR

No report was given.

#### PRESENTATIONS

Jackie McKie – Mr. Rush stated that Ms. McKie heads a feeding program for children during the Summer months.

#### OPEN/CLOSE PUBLIC HEARINGS

- a. **Ordinance Authorizing the Execution and Delivery of a Fee and Special Source Credit Agreement by and among Richland County, South Carolina, Dayton Rogers of South Carolina, LLC and LBE Two, LLC providing for a payment of a Fee in Lieu of Taxes and other matters related thereto** – No one signed up to speak.
- b. **Authorizing the Execution and Delivery of a Fee in Lieu of Tax Agreement by and among Richland County, South Carolina, a sponsor and a sponsor affiliate collectively known as Project Sweetbay, to provide for Fee-in-Lieu of Ad Valorem Taxes; and other related matters** – No one signed up to speak.
- c. **Ordinance Authorizing the Execution and Delivery of a Fee Agreement by and between Richland County, South Carolina and Intertape Polymer Corp. providing for a payment of a Fee in Lieu of Taxes and other matters related thereto** – No one signed up to speak.
- d. **An Ordinance Authorizing the Issuance and Sale of not to exceed \$250,000,000 General Obligation Bonds and \$50,000,000 General Obligation Bond Anticipation Notes, in one or more series, in one or more years, with appropriate series designations, of Richland County, South Carolina; fixing the form and details of the bond and the notes; delegating to the County Administrator certain authority**

related to the bonds and the notes; providing for the payment of the bonds and the notes and the disposition of the proceeds thereof; and other matters relating thereto – No one signed up to speak.

#### APPROVAL OF CONSENT ITEMS

- ❖ 13-20MA, John Champoux, RU to RS-LD (6.75 Acres), Knollside Drive, 20500-06-18/21 & 20500-04-21 [THIRD READING]
- ❖ 13-22MA, Terry Harris, 7950 Bluff Rd., RU to RC (12.79 Acres), 32400-02-25 [THIRD READING]

Ms. Dickerson moved, seconded by Mr. Jackson, to approve the Consent Items. The vote in favor was unanimous.

#### THIRD READING

**An Ordinance Authorizing the Issuance and Sale of not to exceed \$250,000,000 General Obligation Bonds and \$50,000,000 General Obligation Bond Anticipation Notes, in one or more series, in one or more years, with appropriate series designations, of Richland County, South Carolina; fixing the form and details of the bond and the notes; delegating to the County Administrator certain authority related to the bonds and the notes; providing for the payment of the bonds and the notes and the disposition of the proceeds thereof; and other matters relating thereto** – Mr. Jackson moved, seconded by Ms. Dickerson, to approve this item. The vote was in favor.

**Ordinance Authorizing the Execution and Delivery of a Fee and Special Source Credit Agreement by and among Richland County, South Carolina, Dayton Rogers of South Carolina, LLC and LBE Two, LLC providing for a payment of a Fee in Lieu of Taxes and other matters related thereto** – Mr. Livingston moved, seconded by Mr. Rose, to approve this item. A discussion took place.

The vote in favor was unanimous.

**Small Local Business Enterprise (“SLBE”)** – Ms. Dickerson moved, seconded by Mr. Rush, to defer this item until the July 23<sup>rd</sup> Special Called meeting. The vote in favor was unanimous.

**Ordinance Authorizing the Execution and Delivery of a Fee Agreement by and between Richland County, South Carolina and Intertape Polymer Corp. providing for a payment of a Fee in Lieu of Taxes and other matters related thereto** – Mr. Pearce moved, seconded by Mr. Jackson, to approve this item. A discussion took place.

The vote was in favor.

**Authorizing the Execution and Delivery of a Fee in Lieu of Tax Agreement by and among Richland County, South Carolina, a sponsor and sponsor affiliate collectively known as Project Sweetbay, to provide for Fee-in-Lieu of Ad Valorem Taxes; and other related matters** – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

## SECOND READING

**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 other related matters** – Mr. Jackson moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

## REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**A Resolution to state the commitment of Richland County to enter into a Fee-in-Lieu of Tax Agreement with Mars Petcare US, Inc., and CLF Columbia LLC; to provide the general terms of the Fee-in-Lieu of Tax Agreement; to identify the “Project” for purposes of the Fee-in-Lieu of Tax Simplification Act; and to provide for other matters related thereto** – Mr. Livingston stated that the committee recommended approval. The vote in favor was unanimous.

**Approval of Central SC Alliance Member Marketing Grant** – Mr. Livingston stated that the committee recommended approval. The vote in favor was unanimous.

**Motion to approve an additional \$82,000 in Hospitality Tax for the Palmetto Capital City Classic** – Mr. Jeter made a motion, seconded by Mr. Rush, to approve an additional \$35,000. A discussion took place.

Mr. Jackson made a substitute motion, seconded by Ms. Dickerson, to approve an additional \$82,000. A discussion took place.

Mr. Pearce made a second substitute motion, seconded by Mr. Manning, to approve an additional \$47,000.

<b><u>For</u></b>	<b><u>Against</u></b>
Malinowski	Dixon
Rose	Jackson
Pearce	Washington
Livingston	Dickerson
Rush	Jeter
Manning	

The vote was in favor of the second substitute motion.

## **REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

### **I. NOTIFICATION OF VACANCIES**

- a. **Airport Commission—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.

### **II. NOTIFICATION OF APPOINTMENTS**

- a. **Accommodations Tax Committee—3 (Lodging, Hospitality and Cultural)** – Mr. Malinowski stated that the committee recommended appointing Mr. Thomas E. Holloway to the cultural position and re-advertise for the Lodging and Hospitality vacancies. The vote in favor was unanimous.
- b. **Board of Assessment Appeals—1** – Mr. Malinowski stated that the committee recommended appointing Mr. Eric John Grant for this position. The vote in favor was unanimous.
- c. **Community Relations Council—2** – This item was held in committee.
- d. **East Richland Public Service Commission—1** – This item was held in committee.
- e. **Employee Grievance Committee—4** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- f. **Hospitality Tax Committee—2** – This item was held in committee.
- g. **Midlands Workforce Development Board—8** – This item was held in committee.

### **III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE**

- a. **All applicants for Richland County Boards, Commissions, or Committees will be telephonically notified within 48 hours of Council's decision relating to that appointment and a follow up letter will be mailed within 5 work days to same** – Mr. Malinowski stated that the committee recommended that the applicants be notified within 48 hours of Council's decision for appointment and that immediately following the appointment the vote will be reconsidered to clinch the vote. The vote in favor was unanimous.
- b. **Community Relations Council** – This item was tabled in committee.

## OTHER ITEMS

### Report of the Hospitality Tax Review Committee:

**a. Discussion of Items Referred During Budget Process**

- b. Working Definition of Tourist/Tourism** -- Mr. Jackson moved, seconded by Ms. Dixon, to adopt the State's definition for "tourist". A discussion took place.

Mr. Pearce moved, seconded by Mr. Rose, to direct staff to draft a letter to the Legislative Delegation requesting that they clarify the definition for "tourist". A discussion took place.

Mr. Pearce withdrew his motion.

The motion to adopt the State's definition for "tourist" was withdrawn.

**c. \$44M in Tourism-Related Projects**

- d. Review of May 13, 2013 Hospitality Tax Committee Memo**  
**1. Review Current Hospitality Tax Guidelines**

**e. Development of Criteria to Measure Accountability for Oversight Purposes**

- f. Feasibility Studies for Proposed Projects** – Mr. Manning stated that the committee recommended approving the feasibility studies.

Mr. Pearce moved, seconded by Ms. Dickerson, to call for the question. The vote was in favor.

The vote in favor of accepting the committee's recommendation was unanimous.

### Report of the Decker Ad Hoc Committee:

- a. Decker Demolition Contract Award** – Mr. Manning stated that the committee recommended awarding the demolition contract to NEO Corporation. A discussion took place.

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Rose, to reconsider this item. The motion failed.

## CITIZENS' INPUT

No one signed up to speak.

**POINT OF PERSONAL PRIVILEGE** – Ms. Dixon recognized that a group of students from South University were in the audience.

### EXECUTIVE SESSION

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**Council went into Executive Session at approximately 7:42 p.m. and came out at approximately 7:57 p.m.**  
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- a. **Sewer System RFP Inquiry** – Mr. Manning moved, seconded by Mr. Pearce, to modify the Water/Sewer RFP to include the option of private management. The vote in favor was unanimous.

### MOTION PERIOD

- a. **Move for unanimous consent on a motion supporting a Resolution honoring EAA Chapter 242 housed at Hamilton-Owens Airport for their completion of 100,000 flights in the Young Eagles program. This program provides flight experiences for young people to introduce them to flying [PEARCE, ROSE and RUSH]** – Mr. Pearce moved, seconded by Mr. Manning, to adopt a resolution honoring EAA Chapter 242 for their completion of 100,000 flights in the Young Eagles program. The vote in favor was unanimous.
- b. **Develop a plan to eliminate the septic and storm drainage problems in the suburbs and complete and tie into the city sewer and storm water systems [JACKSON]** – This item was referred to the D&S Committee.
- c. **I move to have staff evaluate the special exception conditions for special congregate facilities, found in Section 26-152 (d) (26) of the Land Development Code, to ensure that these conditions minimize potential land use conflicts and also to ensure that there are adequate services for the cliental within the vicinity of the facility. The evaluation should at minimum address: (1) Maximum occupancy; (2) Distance from residential districts, schools, and parks; and (3) Provisions for a management and security plan. Location considerations, including proximity to: (a) Professional services, such as doctor’s offices and legal services; (b) Grocery stores; (c) Job development centers; and (d) Providers services often utilized by the cliental, (i.e., medical clinics, food banks, public transportation). I also move to place a moratorium on any special exception requests to establish a special congregate facility until the evaluation is complete [MALINOWSKI]** – Mr. Malinowski moved, seconded by Mr. Manning, to give First Reading by Title only to an ordinance entitled “An Ordinance Establishing a Temporary Moratorium on the approval of any special exception requests to establish a special congregate facility within the unincorporated areas of Richland County.” A discussion took place.

The vote in favor was unanimous.

**ADJOURNMENT**

The meeting adjourned at approximately 8:10 p.m.

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Kelvin E. Washington, Sr., Chair

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L. Gregory Pearce, Jr., Vice-Chair

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Joyce Dickerson

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Julie-Ann Dixon

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Jim Manning

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Seth Rose

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Torrey Rush

The minutes were transcribed by Michelle M. Onley