

RICHLAND COUNTY GOVERNMENT



OFFICE OF THE COUNTY ADMINISTRATOR

County Administrator's Report of Council Actions Regular Session Council Meeting July 18, 2012 6:00PM

Call to Order: Washington

Invocation: Jackson

Pledge of Allegiance: Jackson

Presentation of Resolutions

- a. **Resolution honoring USC Basketball Coach Dawn Staley for her outstanding service and success [Dickerson]**
- b. **Resolution honoring the homeowner's presidents of Pine Valley, Emerald Valley, Round Top, Cedar Creek, and Bonnie Forest for their longtime commitment and dedicated service to their communities [Dickerson]**

Approval of Minutes

- a. **Regular Session: June 19, 2012:** Approved as amended.
- b. **Zoning Public Hearing: June 26, 2012:** Approved as submitted.

Adoption of the Agenda: Adopted as amended.

Report of the Attorney for Executive Session Items

- a. **Phillip Hawkins Estate vs. Richland County Sheriff's Department:** Staff to proceed as discussed in Executive Session. **ACTION: LEGAL**
- b. **Potential Purchase of Property:** Second Executive Session item.

- c. **Personnel Matters:** Second Executive Session item.
- d. **Appearance Commission Item:** This item was forwarded to the Rules and Appointments Committee meeting scheduled for July 24, 2012. **ACTION: CLERK OF COUNCIL**
- e. **DBE Ordinances and Program Development:** Second Executive Session item.
- f. **Fannie Mae/Freddie Mac Lawsuit:** Legal is to coordinate this matter with outside Counsel as discussed in Executive Session. **ACTION: LEGAL**
- g. **Solid Waste Contract:** Second Executive Session item.

Citizens' Input: No One Spoke

Report of the County Administrator

- a. **Richland 101 for Kids:** Ms. Snowden gave a presentation on this item and informed Council that the event will take place at Dutch Square Mall on Tuesday, July 26, 2012 from 9 a.m. to 12:30 p.m.
- b. **Employee Grievance:** Executive Session item.
- c. **Introduction of Stormwater Manager:** Mr. McDonald introduced Mr. Quinton Epps as the new Stormwater Manager.
- d. **Solid Waste Contract:** Executive Session Item.
- e. **Strategic Plan Update Work Session:** The Clerk's Office is to send out proposed dates for Council to have the Strategic Plan Update Work Session. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**

Report of the Clerk of Council

- a. **Tour of Innovista and Renaissance Redevelopment Proposed Projects:** Council is to let the Clerk of Council's office know if they are interested in a tour.

Report of the Chairman

- a. **Telecommunications and Technology Steering Committee:** The Chairman is to appoint a committee and provide this information to Council during the July 24, 2012 Council meeting. **ACTION: CLERK OF COUNCIL**
- b. **Administrator Transition Update:** RFP's are currently being reviewed, and information is being submitted to Procurement. The Subcommittee Chairs were

directed to activate their respective committees. **ACTION: CLERK OF COUNCIL, PROCUREMENT, LEGAL**

- c. **Personnel Matter:** Executive Session item.
- d. **Proclamation honoring Tracy Swartout** [Washington] Ms. Swartout was presented with a Proclamation.

1. **Public Hearings Items**

- a. **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$40,000 of Special Duty Revenue for off duty security work.** No one spoke.
- b. **An Ordinance Amending the Fiscal Year 2011-2012 Mass Transit Annual Budget to appropriate up to \$50,000 of Mass Transit Undesignated Fund Balance for the educational component of the Transportation Sales Tax.** Four people spoke.
- c. **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 Sysco Columbia, LLC and matters relating thereto.** No one spoke.

2. **Consent Items**

- a. **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$40,000 of Special Duty Reserve for off duty security work [Third Reading]** Council gave third reading approval to this ordinance. **ACTION: FINANCE, SHERIFF, ADMINISTRATION, CLERK OF COUNCIL, LEGAL**
- b. **An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 120; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Special Source Revenue Credit Agreement between Richland County, South Carolina and WNS Global Services Inc.; and matters relating thereto [Third Reading]** Council gave third reading approval to this ordinance. **ACTION: FINANCE, ADMINISTRATION, CLERK OF COUNCIL, LEGAL, ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER**
- c. **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 Sysco Columbia, LLC and matters relating thereto [Second Reading]** Council gave second reading approval to this ordinance. **ACTION: ADMINISTRATION, CLERK**

**OF COUNCIL, LEGAL, ECONOMIC DEVELOPMENT, AUDITOR,
ASSESSOR, TREASURER**

- d. Direct Staff to contact Property Owners on Council Initiated Rezoning [Forwarded from D&S Committee]** Council approved the amended motion as submitted by the Planning Department. In addition, Council added language to the motion that “the property owner,” as well as Council and staff, be included in any consideration of potential impacts on Council initiated rezoning requests. **ACTION: PLANNING, LEGAL, ADMINISTRATION**
- e. John Hardee Expressway Project Funding [Forwarded from D&S Committee]** Council directed staff to add Representative Joe Wilson to the funding request Resolution and approved the Resolution as amended. **ACTION: ADMINISTRATION, LEGAL, GRANTS, CLERK OF COUNCIL**
- f. Review of the Comprehensive Plan to ensure consistency [Forwarded from D&S Committee]** Council directed staff to review the Comprehensive Plan in order to ensure consistency of zoning district requirements with Comprehensive Plan recommendations, and propose recommended changes, if any, to the Planning Commission at the earliest convenience. **ACTION: PLANNING, LEGAL, ADMINISTRATION**
- g. Community Residential Care Facility Resolution to Richland County Legislative Delegation and SC General Assembly [Forwarded from A&F Committee]** The Council approved submittal of the Resolution to the Richland County Legislative Delegation, in conjunction with the South Carolina General Assembly. **ACTION: LEGAL, ADMINISTRATION, CLERK OF COUNCIL**
- h. [Removed from Consent] Changes to Employee Handbook [Forwarded from A&F Committee]** Council directed staff to re-review the probation and promotion information, and forward this information to the A&F Committee meeting on July 31, 2012. Council approved all other proposed changes to the Employee Handbook to resolve inconsistencies that currently exist. **ACTION: HUMAN RESOURCES, LEGAL, ADMINISTRATION**
- i. [Removed from Consent] Comprehensive Sidewalk Improvement Program [Forwarded from A&F Committee]** Council directed staff to move forward and come back to Council with a more comprehensive plan. **ACTION: PLANNING, PUBLIC WORKS, ADMINISTRATION**
- j. [Removed from Consent] Coroner request for approval to renew contract with Knight Systems [Forwarded from A&F Committee]** Council approved the request for approval to renew the contract with Knight Systems Inc. and

encumber \$102,982.50 for FY 12-13 to pay for the service. **ACTION: CORONER, PROCUREMENT, FINANCE, LEGAL, ADMINISTRATION**

- k. **Coroner request for approval to renew contract with Professional Pathology Services [Forwarded from A&F Committee]** Council approved the renewal of the contract with Professional Pathology Services, PC, and the encumbering of initial funds of \$270,000 for autopsy services. **ACTION: CORONER, PROCUREMENT, FINANCE, LEGAL, ADMINISTRATION**

- l. **Detention Center Medical Services Contract-Correct Care Solutions [Forwarded from A&F Committee]** Council approved the request to negotiate and award a contract for inmate medical services to Correct Care Solutions in the amount of \$4,156,882. **ACTION: DETENTION CENTER, PROCUREMENT, FINANCE, LEGAL, ADMINISTRATION**

- m. **Emergency Medicine Fellowship Grant Program Update [Forwarded from A&F Committee]** Council approved a change in the Emergency Services Department-Emergency Medicine/EMS Fellowship Grant program by changing the position from part-time to full-time. All associated costs will be paid through the grant, and no county funds are needed. **ACTION: EMS, GRANTS, HUMAN RESOURCES, LEGAL, ADMINISTRATION, FINANCE**

- n. **[Removed from Consent] Funding for State Mandated Services [Forwarded from A&F Committee]** Council will discuss a proposed funding strategy to address unfunded State mandates during the FY 14 budget process. **ACTION: FINANCE, ADMINISTRATION**

- o. **[Removed from Consent] IGA Extension with City of Columbia re: Animal Shelter Operations [Forwarded from A&F Committee]** Council approved the IGA extension with the City of Columbia regarding Animal Shelter Operations as presented. **ACTION: ANIMAL CARE, LEGAL, ADMINISTRATION, CLERK OF COUNCIL**

- p. **National Aviation Week Proclamation [Forwarded from A&F Committee]** Council approved the request to proclaim August 12-18, 2012 as National Aviation Week in Richland County, and will issue a suitable proclamation. **ACTION: AIRPORT, LEGAL, ADMINISTRATION, CLERK OF COUNCIL**

- q. **[Removed from Consent] Solicitor Salary Rollover Request to Provide Employer contributions for Assistant Solicitor Restructuring and Reclassification Plan [Forwarded from A&F Committee]** Council approved the request to roll over \$70,000 from the Solicitor's FY 2011-12 budget to provide for employer contributions for the Assistant Solicitor Restructuring and

Reclassification Plan. **ACTION: SOLICITOR, FINANCE, HUMAN RESOURCES, ADMINISTRATION**

3. Third Reading Items

- a. **An Ordinance to levy and impose a one percent (1%) sales and use tax, subject to a referendum, within Richland County pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended to define the purposes and designate the projects for which the proceeds to the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of General Obligation Bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the conduct of the referendum by the Richland County Election Commission; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto [Third Reading]** The Transportation Sales Tax ordinance was given third reading approval, as amended, in the following amounts. The projects list was also approved.

Transportation Sales Tax

Mode	Amount	Percentage
Roadway	\$656,020,644	63%
Transit	\$300,991,000	29%
Bike / Pedestrian / Greenway	\$80,888,356	8%
Total	\$1,037,900,000	100%

Notes:

22 Years

1 Penny

\$1,037,900 Available for Projects

\$32,100,000 Administrative Costs

\$1,070,000,000 Total Revenues

CMRTA = \$13.7M Annually

Roadway = Funds ALL High
Priority

BPG = Funds ALL High Priority

Up to \$450M bonds approved

ACTION: FINANCE, LEGAL, ADMINISTRATION, CLERK OF COUNCIL, PUBLIC WORKS, PLANNING, PUBLIC INFORMATION

4. Second Reading Items

- a. **12-14MA; Marion Bouknight; Lee Blythe; RU to RS-MD; Old Tamah Rd. & Shady Grove Rd.; TMS #03500-04-08(p)/24(p)12-22MA:** Council denied this item. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- b. **12-22MA; Jonathan Giles; Robert Giles; RM-HD to NC (.33 Acres); 1157 & 1159 Olympia Ave.; 11203-01-03&04:** Council gave second reading approval to this item. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- c. **An Ordinance Amending the Fiscal Year 2011-2012 Mass Transit Annual Budget to appropriate up to \$50,000 of Mass Transit Undesignated Fund Balance for the educational component of the Transportation Sales Tax.** Council gave second reading approval to this item. **ACTION: ADMINISTRATION, FINANCE, LEGAL, CLERK OF COUNCIL**

5. Report of the Economic Development Committee

- a. **Memorandum of Understanding between Richland County and the Minority Business Development Agency** Council deferred this item to the July 24, 2012 Council meeting. **ACTION: ADMINISTRATION, ECONOMIC DEVELOPMENT, CLERK OF COUNCIL**
6. **A Resolution to appoint and commission Adolphus Lee as a Code Enforcement Officer for the property security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: ADMINISTRATION, ANIMAL CARE, CLERK OF COUNCIL, LEGAL**
7. **A Resolution Affirming the discontinuation of the Mass Transit Fee through the adoption of the FY2012-2013 Richland County Budget:** Council approved the Resolution. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, LEGAL, AUDITOR, TREASURER**
8. **Report of the Regional Recreation Complex Ad Hoc Committee**
 - a. **Work Authorizations #3 and #4 (M. B. Kahn)** Council deferred this item to the July 24, 2012 Council meeting. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**

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

10. Executive Session

- a. **Potential Purchase of Property:** The Township Board is to review this matter and make a recommendation to Council. **ACTION: ADMINISTRATION**
- b. **DBE Ordinances and Program Development:** Legal staff is to proceed with the engagement of an attorney as discussed in Executive Session. The ordinances and programs to be developed should also include language regarding local firms. **ACTION: ADMINISTRATION, LEGAL, PROCUREMENT**
- c. **Solid Waste Contract:** Council voted to suspend the solicitation process for Solid Waste collection services for Service Area 6. Council authorized the Administrator to enter into the previously negotiated contract with the current vendor. **ACTION: ADMINISTRATION, LEGAL, PROCUREMENT, SOLID WASTE**
- d. **Personnel Matters:** Received as information.

11. Motion Period

- a. **Motion of Resolution in honor of Richland County Deputy Ryan Rawl who lost his life serving our country in Afghanistan [Rose, Washington, Manning, Jeter, and Dickerson]** Council approved the Resolution. **ACTION: CLERK OF COUNCIL**
- b. **I move to amend Richland County Code Section 17-10: "An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential Zones; as to define vehicles subject thereto" as specified in the attached document [Manning]** Forwarded to the July D&S Committee. **ACTION: ADMINISTRATION, LEGAL**
- c. **I move that Richland County suspend the Road Maintenance Fee for 19 years if the Penny Sales Tax passes. Reason: The citizens pay \$20 for a Road Maintenance Fee to address what the penny will be doing except the bus. It would be double taxation to the citizens if they pay both. [Jackson]** Forwarded to the July A&F Committee. **ACTION: ADMINISTRATION, PUBLIC WORKS**
- d. **The city believes it cannot provide the requested franchise fee revenue information by law. S.C. Code Ann. Section 6-1-120 sets forth a general prohibition at subsection (A) that, "Except in accordance with a proper judicial order or as otherwise provided by the Freedom of Information Act, it is unlawful for an officer or employee of a county or municipality, or the agent of such an officer or employee to divulge or make known in any**

manner the financial information, or other information indicative of units of good or services sold, provided by a taxpayer included in a report, tax return, or application required to be filled by the taxpayer with that county or municipality pursuant to a county or municipal ordinance...” However, section 6-1-120 provides: (B) Nothing in this section prohibits the: (3) sharing of data between public officials or employees in the performance of their duties. The purpose of the County’s request for data from the City is for a “sharing of data between public officials or employees in the performance of their duties.” Subsection 6-1-120(B)(3) does not appear to be restricted to “public officials or employees” of the same sovereign. Motion: Based on the above, it is requested that an SC Attorney General’s opinion be obtained interpreting 6-1-120 and more specifically 6-1-120(B)(3) [Malinowski] Forwarded to the July A&F Committee. **ACTION: ADMINISTRATION, LEGAL**

- e. I move Council consider allowing Master Gardeners to fulfill the roles of Landscaper and Horticulturalist on the Appearance Commission, in the event that no licensed Landscaper or Horticulturalist can be recruited for the Commission. I also encourage all Council members to appoint their candidates to this Commission, and request staff inform Council of the vacancies [Hutchinson] Forwarded to the July Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**
- f. Because of the significant economic, educational and conservation value of Cook’s Mountain to Richland County, I move to direct the Interim County Administrator and the Conservation Department staff to negotiate an option to purchase Cook’s Mountain contingent upon the receipt of funding assistance from outside sources. I also move to direct staff to examine the funding and financing options available and to provide this information to Council. [Hutchinson] Forwarded to the July 24, 2012 Economic Development Committee. **ACTION: ADMINISTRATION, ECONOMIC DEVELOPMENT, CONSERVATION, PLANNING**
- g. Resolution honoring Tige Watts, Vice President of Richland County’s Neighborhood Association, President of the Columbia Neighborhood Association and newly elected President of the National Association of Neighborhoods for his dedicated and outstanding services over the years to the community [Jackson] Council approved the Resolution. **ACTION: CLERK OF COUNCIL**

12. **Adjournment:** Council adjourned at 10:08 pm.