

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

May 1, 2012

6:00 p.m.

Call to Order: Washington

Invocation: Manning

Pledge of Allegiance: Manning

Approval of Minutes

- a. **Regular Session: April 17, 2012:** Approved as published.
- b. **Zoning Public Hearing: April 24, 2012:** Approved as published.

Adoption of the Agenda: Adopted as amended.

Report of the County Attorney

- a. **Solid Waste Negotiations Update**
- b. **Employee Grievances - 2**

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Update on Yard Waste Pilot Program:** Mr. McDonald updated Council on the pilot program currently in place, and invited other Council members to participate in the pilot program as well.
- b. **Reminder: Budget Work Session, May 3, 2012, 4:00 – 6:00 p.m.**
- c. **Employee Grievances – 2 [Executive Session items]**
- d. **Richland 101 Graduation:** The graduating class was recognized.

Report of the Clerk of Council

- a. **VC Summer Briefing – May 24, 2012, 4:30 p.m.**

Report of the Chairman

- a. **July Council Meeting Schedule:** Council voted to hold Regular Session Council Meetings on July 17 and 24, and D&S / A&F Committees, Zoning Public Hearing, and wrap up Council meeting before the August recess on July 31. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- b. **Intergovernmental Agreement with the Town of Eastover [RCPL]:** Council approved the portion of the request related to the Richland County Public Library. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
- c. **COG / CMRTA:** The COG accepted a \$347,000 grant on behalf of the CMRTA. The CMRTA does not have a plan for these funds yet, but the Board of Directors is to provide direction. This money can be spent on operations, fuel, wages, etc.
- d. **International Delegation:** The individuals from Ghana and Tanzania were recognized.

1. Consent Items

- a. **An Ordinance Amending the Fiscal Year 2011 – 2012 Lower Richland Utilities Fund Budget to Appropriate \$25,000 of User Fee Revenue from Additional Operational and Maintenance Costs of the Hopkins Community Water System [Second Reading]** Council gave second reading approval to the budget amendment. **ACTION: UTILITIES, LEGAL, FINANCE, CLERK OF COUNCIL**
- b. **12-17 MA, Richland County/City of Columbia, RU to GC (.086 acres), TMS# 21800-01-09, Garners Ferry Road [Second Reading]:** Council gave second reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- c. **An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Section 26-179, Pedestrian, Bicycle, and Transit Amenities; Subsection (A), Sidewalks and Other Pedestrian Amenities; Paragraph (4), Exemptions; so as to add the Public Works Department as an entity that can deny sidewalks within their right-of-way [Second Reading]:** Council gave second reading

approval to the text amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- d. **An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Section 26-99, M-1 Light Industrial District; so as to allow parking within the required setbacks [Second Reading]:** Council gave second reading approval to the text amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- e. **An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Section 26-151, Permitted Uses with Special Requirements; Subsection (C), Standards; Paragraph (68), Swimming Pools; so as to delete reference to the requirement of a fence as this requirement is already addressed under the international building code [Second Reading]:** Council gave second reading approval to the text amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- f. [Removed from Consent] **Amy Barch's Turning Leaf Project:** Council approved the Turning Leaf Project for the Detention Center. **ACTION: DETENTION CENTER, LEGAL, PROCUREMENT, FINANCE, ADMINISTRATION, GRANTS**
- g. **Resolution to Designate May 2012 as Building Safety Month:** Council approved the Resolution. **ACTION: BUILDING CODES AND INSPECTIONS, CLERK OF COUNCIL**
- h. [Removed from Consent] **An Ordinance Amending the Fiscal Year 2011 – 2012 General Fund Annual Budget to appropriate \$600,000 of General Fund Undesignated Fund Balance for Workers' Compensation claims [First Reading]:** Council gave first reading approval to a budget amendment in the amount of \$600,000 to cover liability claims for the remainder of the fiscal year with funding to be appropriated from the fund balance of the general fund. **ACTION: ADMINISTRATION, RISK MANAGEMENT, LEGAL, FINANCE, CLERK OF COUNCIL**
- i. **Extend Contract with Correct Care Solution Detention Center Medical Services:** Council approved the request in the amount of \$3,843,271, which has already been allocated, to extend the contract with Correct Care Solutions until June 30, 2012. **ACTION: DETENTION CENTER, LEGAL, PROCUREMENT, FINANCE**
- j. **Extension of Lease for the use of the Curtiss-Wright Hangar at Jim Hamilton-L.B. Owens Airport:** Council approved the extension of a lease between Richland County and the South Carolina Historic Aviation

Foundation for the temporary use of the Curtiss-Wright Hangar at the Jim Hamilton-LB Owens Airport. **ACTION: AIRPORT, LEGAL, FINANCE**

- k. **Lower Richland Master Plan Area Cost Change:** Council approved the expenditure of an additional \$22,800 to develop the Lower Richland Master Plan with expanded boundaries. **ACTION: PLANNING, LEGAL, PROCUREMENT, FINANCE**
- l. **Preservation of Hospitality Tax Fund Balance:** Council voted to amend the financial policies to incorporate the following: Special Revenue – Hospitality Tax – The existing policies recommend that the fund balance be maintained at a level of at least 60-days. However in order to preserve the balance and maintain the on-going local economic impact from the use of the hospitality tax funds, the County will encourage the following as an additional management practice. Prior to appropriating the use of hospitality Tax fund balance for major capital projects (in excess of \$750,000), the County Administrator will consider other county funding sources for any recommended project and include those alternatives for council consideration. **ACTION: ADMINISTRATION, LEGAL, GRANTS, FINANCE**

2. Second Reading Items

- a. **An Ordinance Amending the Fiscal Year 2011 – 2012 General Fund Annual Budget to appropriate \$5,000 of General Fund Undesignated Fund Balance for International Legislative Delegation:** Council gave second reading approval to a General Fund budget amendment in the amount of \$5,000. **ACTION: ADMINISTRATION, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **12-04 MA, County Council, GC to RM-MD (.64 acres), TMS# 09309-03-07(p)/08(p)/09(p)/10(p), Ridgeway Street:** Council deferred the item to the May 15, 2012 Council Meeting. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- c. **An Ordinance amending the Richland County Code of Ordinances, Chapter 26, Land Development; Section 26-177, Lighting Standards; so as to allow black poles:** Council gave second reading approval to the text amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

3. First Reading Items

- a. **An Ordinance to raise revenue, make appropriations, and adopt a budget for Richland County, South Carolina for Fiscal Year**

beginning July 1, 2012 and ending June 30, 2013 [By Title Only]: The Administrator presented his FY 13 budget recommendation to Council. Council gave first reading by title only to the ordinance. **ACTION: ADMINISTRATION, FINANCE, CLERK OF COUNCIL, LEGAL**

- b. An Ordinance authorizing the levying of Ad Valorem Property Taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2012, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2012 through June 30, 2013 [By Title Only]:** Council gave first reading by title only to the ordinance. **ACTION: ADMINISTRATION, FINANCE, CLERK OF COUNCIL, LEGAL**
- 4. Report of the Administration and Finance Committee**

 - a. Release of Cost and other Financial Information:** Council approved the request to not publish the release of County cost estimates, budget amounts, designated accounts and other financial information for projects, purchases, sales, solicitations and financial documents obtained in response to requests for proposals or any type of bid solicitation that might place the County at a disadvantage in negotiating and seeking competitive pricing. **ACTION: PROCUREMENT, LEGAL, FINANCE**
- 5. Report of the Economic Development Committee**

 - a. Authorizing the execution and delivery of an amendment to the fee in lieu of tax and incentive agreement between Richland County, South Carolina and Mars Petcare US, Inc. and other related matters:** Council approved the Resolution. **ACTION: ADMINISTRATION, ECONOMIC DEVELOPMENT, FINANCE, CLERK OF COUNCIL, LEGAL, AUDITOR, ASSESSOR, TREASURER**
 - b. An 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 McEntire Produce, Inc., a corporation organized and existing under the laws of the State of South Carolina, and certain affiliates of McEntire Produce, Inc., including R.C. McEntire Trucking, Inc, a corporation organized and existing under the laws of the State of South Carolina, and McEntire Limited Partnership, a limited partnership organized and existing under the laws of the State of South Carolina 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 \$5,000,000 [First Reading]:** Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION,**

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

6. Report of the Rules and Appointments Committee

a. Notification of Vacancies

- i. Business Service Center – 2 [Teri Hutson Salane, April 1, 2012*; and Patrice Viton, April 1, 2012*] Advertise. ACTION: CLERK OF COUNCIL**
- ii. East Richland Public Service Commission – 1 [Catherine Cook, June 19, 2012] Advertise. ACTION: CLERK OF COUNCIL**

b. Notification of Appointments:

- i. Accommodations Tax Committee – 4 (2 persons employed or have worked in Hospitality; 1 person employed or have worked in Lodging; and 1 person from a cultural industry): No applications were received. Advertise. ACTION: CLERK OF COUNCIL**
- ii. Appearance Commission – 2 (1 licensed horticulturalist and 1 landscaper is needed) Advertise. ACTION: CLERK OF COUNCIL**
- iii. Board of Assessment Control - Advertise. ACTION: CLERK OF COUNCIL**
- iv. Building Codes Board of Adjustments and Appeals – 3 (1 person must be a licensed electrician and 2 individuals must be in the Fire Protection industry or employed in fields with extensive knowledge of fire codes and fire regulations): No applications were received. Advertise. ACTION: CLERK OF COUNCIL**
- v. Business Service Center Appeals Board – 1 (a CPA is needed;) Advertise. ACTION: CLERK OF COUNCIL**
- vi. Internal Audit Committee – 1 [person must be a CPA); one application was received from K. Even McCoy, CPA*: Council appointed McCoy. ACTION: CLERK OF COUNCIL**
- vii. Township Auditorium Board – 2; applications were received from the following: John V. Crangle; David H. Gates;**

Christopher Leevy Johnson*; **Eva Prioleau**; **John Whitehead***:
Johnson and Whitehead were appointed. **ACTION: CLERK OF COUNCIL**

- b. **Discussion from Rules and Appointments Committee**
 - i. **Council Member Individual Discretionary Account Motions:** Remains in Committee. **ACTION: CLERK OF COUNCIL, LEGAL, FINANCE**
 - ii. **That all items currently listed at the end of the A&F and D&S Committee agendas as “items Pending Analysis” be cleared up within 90 days. There is no reason some action should not be taken, even if it means to table it for now. [Malinowski] Remains in Committee. ACTION: CLERK OF COUNCIL, LEGAL**
 - iii. **All committee items being sent to full council will not automatically be placed on the consent agenda but be listed as first reading items. The rationale is that only three persons could be present for the quorum and if all voted for the item it goes on the consent and this is only about 27% of council. [Malinowski] Remains in Committee. ACTION: CLERK OF COUNCIL, LEGAL**
 - iv. **Reviewing Committee Qualifications:** Remains in Committee. **ACTION: CLERK OF COUNCIL**
- 7. **Report of the Joint Transportation Committee**
 - a. **Timeline [ACTION]** Council approved the timeline. Council voted to not reconsider the item. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- 8. **Richland County Approval of CMRTA Proposed Service Reductions:** Council approved the reductions as proposed by the CMRTA. **ACTION: ADMINISTRATION**
- 9. **Richland Memorial Easement:** Council approved the easement. **ACTION: LEGAL, CLERK OF COUNCIL**
- 10. **Solid Waste Negotiations:** Executive Session item.
- 11. **Citizens’ Input:** Two people spoke.

12. Executive Session

- a. **Solid Waste Negotiations Update:** Council approved the solid waste collection contract terms for Service Areas 2 and 6 as negotiated by County Administration and as presented in Executive Session. Council directed the County Administrator to incorporate those terms into a formal agreement for execution. **ACTION: ADMINISTRATION, LEGAL, PROCUREMENT, FINANCE, SOLID WASTE**
- b. **Employee Grievances – 2:** Council upheld the Administrator's recommendations. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

11. Motion Period

- a. **I like to make a motion that County Council Members be treated like all county wide elected officials. The purpose is to make sure we received the same benefits that are given to county employees and county wide elected officials. [Jeter] Forwarded to the A&F Committee. ACTION: ADMINISTRATION, LEGAL**
- b. **A Resolution: The John Hardee Expressway is very important to the Midlands for future economic development. Richland and Lexington Counties have exhausted all possible funding programs to finance this project and the SCDOT has placed this program as a priority in the STIP. This is not about partisanship; it is about getting help from our congressional leaders to secure finance for the project which will bring thousands of jobs to the Midlands expanding and bringing more companies/industries to our community. I move that we ask Congressman Clyburn for help to secure the additional \$4.2 Million needed to complete the \$82 Million project. [Jackson] Forwarded to the D&S Committee. ACTION: ADMINISTRATION**
- c. **Due to the fact the current Spring Hill Master Plan is in close proximity to the county lines for Newberry and Lexington I move that the Spring Hill Master Plan be increased to include the areas of Richland County that extend to those two county lines. [Malinowski] Forwarded to the D&S Committee. ACTION: ADMINISTRATION, PLANNING**
- d. **Every year Richland County pays millions of dollars for workman compensation claims. I move that administration provide the types and number of claims over the past 5 years in an effort to arrive at what claims appear to be the most repetitive and then make recommendations as to a safety program for employees that will help**

reduce those particular problems. [Malinowski] Forwarded to the A&F Committee. **ACTION: ADMINISTRATION**

- e. **I move that the duties and responsibilities of the Administrator be reviewed and updated. [Jackson]** Forwarded to the Administrator's Committee.
 - f. **In order to rezone property by a Council member, legal and the Planning/Zoning Office must contact the owner. If the requested zoning is a lower classification or will affect the owners plans then it must be determined if it constitutes a Taking. Criteria should be developed to determine if the existing zoning will be detrimental to the adjacent or surrounding zonings before the request is considered. [Jackson]** Forwarded to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
 - g. **I move to direct staff to review the 2009 Comprehensive Plan in order to ensure consistency of zoning districts requirements with Comprehensive Plan recommendations, and to propose recommended changes, if any, to the Planning Commission at the earliest convenience. [HUTCHINSON AND MALINOWSKI]** Forwarded to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
12. **Adjournment:** Council adjourned at 9:18 p.m.