

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
October 16, 2012
6:00 p.m.**

Call to Order: Chairman Washington

Invocation: Mr. Manning

Pledge of Allegiance: Mr. Manning

Presentation of Resolutions

- a. **National Friends of the Library Week:** Mr. Manning
- b. **Adopting October as the "Month of the Parent" in Richland County:** Ms. Kennedy,
Ms. Dickerson

Approval of Minutes

- a. **Regular Session: October 2, 2012:** Approved as published.

Adoption of the Agenda: Adopted as amended. The Presentation was placed earlier in the agenda.

Presentation: The Therapy Place: The Executive Director, Dawn Darby, and staff thanked Council for their support.

Report of the Attorney for Executive Session Items

- a. **Landfill/Contractual Matter** [Second Executive Session Item]
- b. **Personnel Matter** [Second Executive Session Item]
- c. **Palmetto Utilities** [Second Executive Session Item]
- d. **Economic Development Committee Items:** [First Executive Session Item]
Council took no action on the item after Executive Session. Action later in agenda.

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Palmetto Utilities:** Second Executive Session Item
- b. **Brownfields Update:** Sara Salley stated that the Brownfields Coalition will reapply for an EPA Brownfields grant. **ACTION: GRANTS, SUSTAINABILITY, CONSERVATION, ADMINISTRATION**
- c. **Employee Grievance:** Council upheld the Administrator's recommendation. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

Report of the Clerk of Council

- a. **Tax Referendum [Election Commission] Public Hearing, Thursday, October 18th at 6:00 p.m., Council Chambers:** Reminder
- b. **November Meeting Schedule:** Reminder – Regular Session Council Meetings will be held November 13 and 20, and Committees and Zoning Public Hearing will be held November 27.
- c. **McEntire Tour Reminder:** November 1 at 10am

Report of the Chairman

- a. **Personnel Matter:** [Second Executive Session Item]
- b. **Meeting with Elected Officials:** Mr. Washington stated he would like to have this meeting quarterly. Received as information.

Open/Close Public Hearings

- a. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects:** No one spoke.
- b. **An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex:** No one spoke.
- c. **An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters**

relating thereto: No one spoke.

1. Consent Items

- a. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$730,000 of General Fund Restricted Fund Balance for Economic Development Projects [Third Reading]:** Council gave third reading approval to an ordinance amending the Industrial Park budget to appropriate \$730,000 of General Fund restricted Fund Balance for economic development projects. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, FINANCE, LEGAL, ECONOMIC DEVELOPMENT**
- b. **[Removed from Consent] An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to foster more environmentally-sensitive site development in Richland County [Third Reading]:** Council gave third reading approval to the ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- c. **12-25MA**
Angela Lawrence RU to RC (2 Acres)
7271 Bluff Rd.
27300-05-19 [Third Reading]: Council gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- d. **12-26MA**
John Blackmon
3P, LLC, Christopher Robnett, DDS & Pine Spring Inc. HI to GC (1.85 Acres)
North Springs Rd. & Brickyard Rd.
22804-04-01/02/12 & 22905-01-78 [Third Reading]: Council gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- e. **12-27MA**
Barbara Bratcher
Clara Beasley
RU to GC (2.5 Acres)
8505 Garners Ferry Rd.
21800-05-07 [Third Reading]: Council gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- f. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-58, Appeals of Administrative Decisions; Subsection (B), Appeal Submittal; Paragraph (1), Application; so as to correct the section reference for appeals [Third Reading]:** Council gave third reading approval to the text amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL,**

LEGAL

- g. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 3A, Tax Assessor; so that a new department will be created, and Amending Chapter 23, Taxation; Article II, Tax Assessor and Article III, Board of Assessment Control; by deleting the language therein [Second Reading]:** Council gave second reading approval to the ordinance that places the County Assessor and County Assessor's office under the County Administrator. **ACTION: LEGAL, ASSESSOR, ADMINISTRATION, CLERK OF COUNCIL**
- h. An Ordinance Amending the Fiscal Year 2012-2013 Solid Waste Enterprise Fund Annual Budgets to appropriate \$972,600 of Solid Waste Enterprise Unassigned Fund Balance for transfer to the Solid Waste Operating Budget for the sole purpose of purchasing roll carts [Second Reading]:** Council gave second reading approval to the request to transfer \$972,600 from the Solid Waste enterprise fund balance to the Solid Waste operating budget for the sole purpose of purchasing 20,000 ninety-five gallon roll carts to enhance the County's recycling efforts. **ACTION: SOLID WASTE, FINANCE, PROCUREMENT, LEGAL, CLERK OF COUNCIL**
- i. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$184,496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process [Second Reading]:** Council gave second reading approval to a budget amendment in the amount of \$184,496 for additional grant match funds for confirmed and pending FY 13 grant awards. Council would like a policy established regarding grants. Staff is tracking this item for the FY 14 budget process. **ACTION: GRANTS, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
- j. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 6A, Conservation; so that a new department will be created [Second Reading]:** Council gave second reading approval to an ordinance creating the Conservation Department. **ACTION: CONSERVATION, HUMAN RESOURCES, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
- k. [Removed from Consent] An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$75,177.89 of General Fund Unassigned Fund Balance for the Legal Department for salary adjustments [Second Reading]:** Council gave second reading approval to the ordinance as amended. Council approved the fringe benefits request of 18.25 percent, or \$11,830. The individual salary increases are to be addressed in Phase II of the Classification & Compensation study at the same time as all other departments. **ACTION: LEGAL, FINANCE, CLERK OF COUNCIL, ADMINISTRATION**

2. Third Reading Items

- a. **12-22MA
Jonathan Giles Robert Giles
RM-HD to NC (.33 Acres)
1157 & 1159 Olympia Ave.
11203-01-03& 04:** Council gave third reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- b. **An Ordinance Amending the Fiscal Year 2012-2013 Hospitality Tax Budget to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for the Recreation Sports Complex:** Council gave third reading approval to appropriate \$1,217,201 of Hospitality Tax Restricted Fund Balance for Work Authorizations #3 and #4. **ACTION: ADMINISTRATION, FINANCE, CLERK OF COUNCIL, LEGAL, PROCUREMENT**

3. Second Reading Items

- a. **An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Authorizing the Interim County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto:** Council gave second reading approval to a bond ordinance of up to \$9,000,000 in accordance with the capital needs assessment for County Fire operations as presented by the County Administrator during the Council's Annual Retreat. Staff is to provide further information related to the questions posed by Council. **ACTION: FINANCE, EMERGENCY SERVICES, PROCUREMENT, LEGAL, ADMINISTRATION, CLERK OF COUNCIL**
- b. **An Ordinance Amending Ordinance 043-10HR, so as to increase the rate of copy charges for autopsy reports to \$500:** Council gave second reading approval by title only to the request to increase the copy charges for autopsy reports from \$100 to \$500. Family members of the deceased, as well as law enforcement, will not be charged. **ACTION: CORONER, FINANCE, LEGAL, CLERK OF COUNCIL**

4. Report of the Economic Development Committee

- a. **Authorizing the execution and delivery of a fee agreement by and between Richland County, South Carolina and [Project Resolve], 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 approval by title only to the item. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**
- b. **Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood,**

South Carolina relating to [Project Resolve] and the business license fees on the investment by [Project Resolve], and other matters related thereto [First Reading by Title Only]: Council gave first reading approval by title only to the item. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

5. Report of the Rules and Appointments Committee

1. Notification of Vacancies: Advertise 1a – d. ACTION: CLERK OF COUNCIL

- a. **Board of Zoning Appeals-1
Sheldon L. Cooke, Sr.
October 7, 2012 *Eligible for reappointment**
- b. **Central Midland Council of Governments-1
Steven B. Corboy
October 19, 2013**
- c. **Community Relations Council-1
Kimberly Kennedy Gooden
November 3, 2012 * Eligible for reappointment**
- d. **Township Auditorium Board-1
Andrew (Drew) Nick Theodore
November 20, 2012 * Eligible for reappointment**

2. Notification of Appointments

- a. **Accommodations Tax Committee-3 (needed are 1 person from the Hospitality industry, 1 person from the Lodging industry, and 1 person from the cultural industry) No applications were received. Advertise. ACTION: CLERK OF COUNCIL**
- b. **Building Codes Board of Appeals-3 (needed 1 engineer, 1 person from the gas industry, and 1 person from the building industry) Applications were received from the following: Jesse S Burke, Engineer; Michael T. Lowman, Building*; Greg Mackie, Gas* Eligible for reappointment: Burke, Lowman, and Mackie were appointed. ACTION: CLERK OF COUNCIL**
- c. **Community Relations Council-1; No applications have been received at this time. Advertise. ACTION: CLERK OF COUNCIL**
- d. **Midlands Workforce Development Board-1; One applicant was nominated, Annie Caggiano, Richland County Economic Development; she will be replacing Nelson Lindsay, Richland County**

Economic Director. Caggiano was appointed. **ACTION: CLERK OF COUNCIL**

- e. **Planning Commission-1;**An application was received from the following: **William H. Theus:** Theus was appointed. **ACTION: CLERK OF COUNCIL**

3. Discussion from Rules and Appointments Committee

- a. **Agendas-FOIA Compliance:** Received as information.
- b. **Appearance Commission [Malinowski]:** Deferred to November 13, 2012. **ACTION: CLERK OF COUNCIL, LEGAL**
 - o **Determine what constitutes a quorum for the Appearance Commission and have the Ordinance reflect that.**
 - o **Require all Council members appoint a representative to the Appearance Commission by the July 31, 2012 Council meeting.**
- c. **Council Individual Discretionary Account:** No action. **ACTION: CLERK OF COUNCIL**
- d. **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 vacancies [Hutchinson]:** Deferred to November 13, 2012. **ACTION: CLERK OF COUNCIL, LEGAL**
- e. **Due to recent issues with the Chair making announcements and having meetings on behalf of Richland County and County Council without Council's approval. I move that we have a workshop on the rules of the Chair. The do's and don'ts of the Chair. This will help with the problem and the chaos we are having on County Council. [Jackson]** The Clerk of Council's Office will schedule a Work Session after the November 6, 2012 Election. The Rules of Council are also to be discussed at this Work Session. **ACTION: CLERK OF COUNCIL**
- f. **Add to Section 4.1 of Council Rules: "No standing committees of Council shall be scheduled at the same time."** [Livingston] Council approved the language. **ACTION: CLERK OF COUNCIL, LEGAL**
- g. **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]:** Council approved

the item, but revised the length of time to 100 days. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION**

- h. **Reviewing Committee Qualifications:** Council approved the following items, in no particular order, for further consideration by the Internal Audit Committee: Finance Department Performance Audit; Procurement Audit; Timekeeping Audit; Roads and Drainage Maintenance Performance Audit. **ACTION: CLERK OF COUNCIL**

6. Appointment of Code Enforcement Officers

- a. **A Resolution to appoint and commission Alonzo W. Smith, Sr., as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, EMERGENCY SERVICES**
- b. **A Resolution to appoint and commission Michael A. King, as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, EMERGENCY SERVICES**

7. **Citizens' Input:** No one spoke.

8. Executive Session

- a. **Landfill/Contractual Matter:** The following motion was approved: I make a motion to direct staff to undertake the due diligence and explore the possibility of entering into an agreement relative to a possible transaction discussed in Executive Session, if such transaction can be undertaken with safeguards in place to protect the County's interests. If it can, then staff is to report back to Council and present for Council's review any agreements that may be needed to undertake this transaction if such agreements are ready for Council's review. If this matter is not feasible, then staff is to report that to Council as well. **ACTION: ADMINISTRATION, LEGAL**
- b. **Personnel Matter:** No action.
- c. **Palmetto Utilities:** Council directed staff to proceed, without a commitment, as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**

9. Motion Period

- a. **Wrecker service operators in Richland County have requested that County Council review for possible adjustment the 2009 Richland County Ordinance pertaining to allowable fees charged for wrecker (towing) and storage services based on increased costs especially in fuel. Fee adjustments have apparently been granted by the SC Highway Patrol and**

City of Columbia. [Pearce] Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, PROCUREMENT**

- b. **For Businesses closed for more than one year if the building are structurally sound then it should be allowed for continued uses only without modification. Reason: Buildings closed former than one year are subject to new Building Codes. The cost for updates are too expensive causing new potential businesses to go elsewhere. The County has a lot of unoccupied buildings causing blighted communities. To resolve the problem if buildings are structurally sound and the use is the same or similar them it should be allowed as continued use without additional modifications. [Jackson]** Forwarded to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
 - c. **Resolution honoring William “Bill” Robinson on his retirement. [Washington]: Approved. ACTION: CLERK OF COUNCIL**
10. **Adjournment:** Council adjourned at 8:26pm.