

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

April 5, 2011

6:00 p.m.

Call to Order: Jeter

Invocation: Kennedy

Pledge of Allegiance: Kennedy

Approval of Minutes

Regular Session: March 15, 2011: Approved as amended.

Zoning Public Hearing: March 22, 2011: Approved as published.

Adoption of the Agenda: Approved as amended.

Report of the County Attorney

- a. **CMRTA Contractual Negotiations**
- b. **Finch vs. Richland County, et. al.**
- c. **McEntire vs. Richland County**

Executive Session – Outside Legal Counsel

- a. **Finch vs. Richland County, et. al:** Received as information.

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Fair Housing Update:** Valeria Jackson gave an update to Council on the Analysis of Impediments Study that is currently underway. Focus groups are currently being held, and Council is also invited to participate in the

online survey. A Community Development luncheon will occur on April 28.

- b. **Decker Mall Update:** Mr. Pope stated that due diligence is currently being completed, per Council's direction.
- c. **Smoking Ban Update:** The Business Service Center completed 14 inspections this quarter. Seven (7) tickets were issued during these inspections. Follow up inspections will occur. No smoking complaints from citizens were received this quarter. The next quarterly update will be provided at the first Council Meeting in July.
- d. **FEMA Flood Maps Update:** Mr. Pope presented the National Flood Insurance Community Rating System plaque, which recognizes Richland County for saving residents money on their flood insurance premiums. Mr. Epps gave Council an update on the revised September 2010 flood maps. A mailing will be sent to affected residents.

Report of the Clerk of Council

- a. **Palmetto Capital City Classic Roast and toast Honoring Tony Grant – Thursday, April 21**
- b. **47th Annual Greater Columbia Community Relations Council Luncheon, Wednesday, June 15**

Report of the Chairman: Mr. Jeter stated that Mr. Livingston was in Washington, D.C.

1. Public Hearing Items

- a. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$155,900 of General Fund Undesignated Fund Balance to the Coroner for additional funding for current budget:** No one spoke.
- b. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$164,754 of General Fund undesignated fund balance to the Solicitor for additional funding for emergency budget request:** No one spoke.

2. Consent Items

- a. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$155,900 of General Fund Undesignated Fund Balance to the Coroner for additional funding for current budget [Third Reading]:** Council gave third reading approval to

the ordinance. **ACTION: CORONER, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**

- b. **11-03MA, Ram'on Wideman, RM-MD to OI (1.38 acres), TMS# 09310-05-17/18/19/21/22, 5326 Ridgeway Street [Second Reading]:** Council gave second reading approval to the map amendment. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- c. **A Resolution in support of Dirt Road Paving Design [Table]:** Council tabled this item.
- d. **Fire Station Paving: Drives and Parking:** Council approved the request to enter into negotiations and a contract with the lowest responsible bidder, REA Contracting, in the amount of \$ 254,891.05. **ACTION: PROCUREMENT, BUDGET, FINANCE, LEGAL, PUBLIC WORKS, EMS**
- e. **Shady Wood Lane Improvements Contract [Deny]:** Council did not approve the item.
- f. **Fund Balance Designation:** Council approved the request to amend the financial policy and direct staff to comply with reporting requirements. **ACTION: ADMINISTRATION, FINANCE**
- g. [Removed from Consent] **FY 11 General Fund Unemployment Bill [First Reading]:** Council gave first reading approval to appropriate fund balance in the amount of \$227,000 for the County's Unemployment bill. **ACTION: ADMINISTRATION, FINANCE, BUDGET, LEGAL, CLERK OF COUNCIL**
- h. **Neighborhood Stabilization Program Round Three Funds Application:** Council approved the request to adopt the incorporation of the Neighborhood Stabilization Program Round III Fund into the Richland County Community Development Block Grant Program as per the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. **ACTION: COMMUNITY DEVELOPMENT, FINANCE**
- i. **Fair Housing Proclamation:** Council approved the request to proclaim April as Fair Housing Month and present the proclamation to a HUD representative. **ACTION: COMMUNITY DEVELOPMENT, CLERK OF COUNCIL**
- j. **Community Development Week Proclamation:** Council approved the Community Development Week. **ACTION: COMMUNITY DEVELOPMENT, CLERK OF COUNCIL**

- k. **Budget Amendment for Risk Management [First Reading]:** Council gave first reading approval to a budget amendment in the amount of \$500,000 to pay liability claims. **ACTION: ADMINISTRATION, FINANCE, BUDGET, RISK MANAGEMENT, LEGAL, CLERK OF COUNCIL**

3. Third Reading Item

- a. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$164,754 of General Fund undesignated fund balance to the Solicitor for additional funding for emergency budget request:** Council gave third reading approval to the budget amendment. **ACTION: ADMINISTRATION, LEGAL, FINANCE, BUDGET, CLERK OF COUNCIL, SOLICITOR**

4. Report of the Development and Services Committee

- a. **Hopkins Community Water System Elevated Tank Color and Logo:** Council approved staff's recommendation of the tank logo detail as presented in option "A" with the tank color "Teardrop." **ACTION: UTILITIES**
- b. **An Ordinance Authorizing a Utility Easement / Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS #25600-03-16, also known as 199 Newland Road [First Reading]:** Council deferred this item, and requested additional information from SCE&G. **ACTION: LEGAL**
- c. **Research and give alternative transportation options for released inmates:** Council voted to re-establish the Ad-Hoc Jail committee to identify potential drop-off points, and, while the committee is being established, allow staff to meet with City officials to determine options for the committee's review. Council was also requested to forward suggestions to staff. **ACTION: ADMINISTRATION, ALVIN S. GLENN DETENTION CENTER, CLERK OF COUNCIL**

5. Report of the Administration and Finance Committee

- a. **Video Streaming and Rebroadcast of Council Meetings:** Council approved the video streaming and rebroadcast concept for Council and D&S / A&F Committee meetings, and directed staff to conduct further research and provide a financial recommendation during the 2011/2012 budget process. **ACTION: ADMINISTRATION, PUBLIC INFORMATION, INFORMATION TECHNOLOGY, BUDGET, FINANCE**

- b. **Caughman Creek Property:** Council deferred this item, and requested documentation from the Recreation Commission regarding their \$100,000 contribution and ongoing operations, per Mr. Jackson. **ACTION: ADMINISTRATION**

6. **Rules and Appointments Committee**

- a. **Notification of Vacancies:** Advertise. **ACTION: CLERK OF COUNCIL**

- i. **Business Service Center Appeals Board – 1 [William (Bill) West, May 6, 2011*]**

- b. **Notification of Appointments**

- i. **Community Relations Council – 1 [Seneca Brewton Henry]** Henry was appointed. **ACTION: CLERK OF COUNCIL**

- ii. **Employee Grievance Committee – 1 [Vivian McCray*]** This item remains in Committee. **ACTION: CLERK OF COUNCIL**

- iii. **Planning Commission – 1 [Patrick Palmer; Herbert Sims; Elizabeth Mattos-Ward; Jack R. Ward, Jr.]** Palmer was appointed. **ACTION: CLERK OF COUNCIL**

- c. **Discussion from Rules and Appointments Committee**

- i. **If Council intends to attempt another try at a Referendum for a penny sales tax increase, all council members shall hold public meetings to get public input before making a final decision whether to move forward or not. Public input shall determine how proceeds from the tax will be spent and the term of the tax. This process should be given enough time to make sure it does not appear rushed or at the last minute. Reason: If approved, the citizens will be paying for this and we are only the representatives of the people's will and so we shall do everything that's in the best interest of the people we serve. Transparency: This process whether it is approved and passes or not will give comfort to our constituents that we are not hiding anything by revealing up front everything that would be done with that tax. [Jackson]: Held in Committee. The Committee requested Mr. Jackson clarify his motion. ACTION: CLERK OF COUNCIL**

- ii. **That all ordinance changes and text amendments be reflected on the County website no later than 30 days after approval by**

Council. Presently, some ordinance changes that law enforcement may have a need for do not reflect current wording. [Malinowski]: Staff is requested to determine the amount of time from the approval of minutes to the appearance of ordinances on the website. **ACTION: CLERK OF COUNCIL, LEGAL**

- iii. **All motions shall be made from Council members only and any request or modification or amendments from staff should be sponsored by a Council member. All changes or additions to any document shall be highlighted or shown in a different color.** [Jackson]: Held in Committee. The Committee requested Mr. Jackson clarify his motion. **ACTION: CLERK OF COUNCIL**
- iv. **Manage the number of motions made by Council members during the Motion Period** [Livingston]: Held in Committee. **ACTION: CLERK OF COUNCIL**
- v. **All checkmarks placed for recommendation or denial of a particular item on the Council agenda will require a comment to show why such decision was made. (No more blanks.)** [Malinowski]: Held in Committee. **ACTION: CLERK OF COUNCIL**
- vi. **That all meetings Council members are advised of will automatically be placed on those Council members' calendars who request this service, whether or not they "accept" the invite** [Malinowski]: Held in Committee. **ACTION: CLERK OF COUNCIL**
- vii. **In light of some recent FOIA requests staff should create a policy addressing requests stating they are in the interest of the public and, therefore, the requestor should not be charged. Just because a media person or attorney makes a request does not automatically make it in the interest of the public. It should be incumbent on the requestor to show that.** [Malinowski]: Held in Committee. **ACTION: CLERK OF COUNCIL**
- viii. **Personnel Matter: Evaluation Forms:** Held in Committee. **ACTION: CLERK OF COUNCIL**

7. Report of the Consolidation – Privatization Ad Hoc Committee

- a. **Update – Chairman Norman Jackson:** At the January 27 meeting, staff presented research regarding consolidation and

privatization efforts across the nation. Staff also presented the current joint operations with the City, including Animal Care, Fire Service, and E-911. Staff also stated that privatization / outsourcing currently exists in various degrees in the areas of Solid Waste Collections and Fleet Management / Maintenance. At this meeting, staff requested the ability to draft recommendations for potential areas of consolidation / privatization / outsourcing, as well as the opportunity to meet with the City Manager to discuss these items.

At the March 23 meeting, the Committee considered options, including the merger of the County and City Planning Commissions, and ultimately, the Planning and Development Services functions, as well as the possible co-location of Planning / Zoning / Inspections activities; as well as consolidation of the following activities / departments: GIS; Ombudsman; Fire; Animal Care; Economic Development; Business Licenses; and Utilities (Sewer / Water). It was determined that the Fire Service item should be considered separately from this Committee's purview. After Chairman Livingston meets with the Mayor regarding these items, the Ad Hoc Committee will reconvene, and forward its recommendations to Council at an upcoming Council Meeting.

8. Report of the Regional Sports Complex Ad Hoc Committee

- a. **M.B. Kahn Construction Company – Work Authorization #2 [ACTION, FIRST READING]:** Council approved first reading of the budget amendment for Work Authorization #2 in the amount of \$245,000, which consists of Site Planning, Schematic Site Design, and associated Program Management services. **ACTION: ADMINISTRATION, BUDGET, FINANCE, PROCUREMENT**

- b. **Funding Recommendations [ACTION]:** Council approved the following motion: Move to reallocate up to \$5 million of the 2010 Capital Improvement Bond Issue for the purpose of continuing the development of a regional recreation complex in Northeast Richland County. The total amount of the Bond to be reallocated may be offset, on a dollar for dollar basis, by Hospitality Tax Funds and/or funding from the County's General Fund, with the total combination of any of these three funding sources to equal \$5 million. This \$5 million will be combined with the \$5 million from Hospitality Tax Funds already earmarked by the Council, for a total of \$10 million. Council voted to not reconsider the item. **ACTION: ADMINISTRATION, BUDGET, FINANCE**

9. Citizens' Input: No one spoke.

10. Executive Session

- a. **CMRTA Contractual Negotiations:** Executive Session was not requested. Council is requested to forward revisions to the County Attorney by Friday, April 15.
- b. **McEntire vs. Richland County:** Executive Session was not requested.

11. Motion Period

- a. **I move that County Council amend the Employee Handbook to include sexual orientation and gender identity as a protected class from discrimination in the hiring process for equal employment opportunities [Rose]:** This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, HUMAN RESOURCES**
- b. **Motion that County Council adopt the attached public accommodations ordinance. This ordinance prohibits entities from discriminating against a citizen because of race, color, religion, sex, age, national origin, familial status, handicap/disability, or sexual orientation. This ordinance is an exact replica of what the City of Columbia passed in 2008 and in the interest of prohibiting discrimination in any form and regional consistency I motion that County Council adopt it as submitted [Rose]** This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, LEGAL**
- c. **Ban smoking within a specified distance from a main entrance of a business or public building [Manning]** This item was forwarded to the D&S Committee. **ACTION: ADMINISTRATION, BUSINESS SERVICE CENTER**
- d. **To review the pros and cons of counting prisoners and/or jail population in the redistricting calculations. [Washington]:** This item was forwarded to the Redistricting Ad Hoc Committee. **ACTION: LEGAL**
- e. **Resolution supporting Harvest Hope Food Bank's Hold Out for Hunger Day [Pearce]:** Council unanimously approved the Resolution. **ACTION: CLERK OF COUNCIL**
- f. **I move that Council direct staff address the proliferation of illegal signs in the County by involving Special Services dept, or any other County depts., to conduct a weekly Tuesday sign sweep along the most littered corridors of the County. All signs, except govt. and utility signs, in the right of way would be considered "litter" and disposed of**

by the County. In addition, I move that staff work with the Zoning dept to develop a simpler and more effective illegal sign ordinance and bring that back to Council. [Hutchinson] This item was forwarded to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**

- g. **Richland County adopt the State's travel policy and Per Diem** [Jackson] This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, FINANCE**
- h. **Review the operations and efficiency of the Mail/Printing Department on equipment and organization to see how much the County will save. Reason: We have to see at every level how we can save taxpayers money and these two operations can make a big impact on savings if updated and structured properly.** [Jackson] This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, SUPPORT SERVICES**
- i. **Richland County will not accept late grant applications and grant committees will not review or recommend late organization's projects for funding if the required paperwork is not submitted by the deadline that is stated clearly in the grant guidelines and on the application check list. This motion applies to Hospitality Tax Grant applications, Accommodations Tax Grant applications, and Discretionary Grant applications.** [Kennedy and Jeter] This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, GRANTS**
- j. **The location or relocation of any entity in a commercial or industrial district shall be subjected to the required setbacks for that district only, not the setback of the entity. Review the effect of separation of same or similar businesses and how it affects economic development. Reason: If a 400 ft setback was enforced in the Vista or Five Points in the city, they would not enjoy their current success.** [Jackson]: This item was forwarded to the Committee. **ACTION: ADMINISTRATION, PLANNING**
- k. **There shall be clear, detailed definition of all businesses in the code and not subjected to any one person's discretion. Reason: Even though all denials are appealable to BOZA, it wastes much time and money for potential businesses. Having a specific definition will reduce that step.** [Jackson]: This item was forwarded to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**

12. **Adjournment:** Council adjourned at 8:25 p.m.