



**OFFICE OF THE COUNTY ADMINISTRATOR
REPORT OF ACTIONS
REGULAR SESSION COUNCIL MEETING
May 06, 2014
6:00 p.m.**

Call to Order: Jackson

Invocation: Washington

Pledge of Allegiance: Washington

Presentation of Resolutions

- a. **National Public Works Week Proclamation:** The Chair and Vice Chair presented the Proclamation to Ismail Ozbek, Interim Director, Public Works.
- b. **National Travel & Tourism Week Proclamation:** The Chair and Vice Chair presented the Proclamation to Bill Ellis, Executive Director, Convention and Visitors Bureau.
- c. **Resolution Recognizing May 15th as National Peace Officers' Memorial Day:** The Chair and Vice Chair presented the Resolution to Chief Birnie and Sergeant Joseph.

Approval of Minutes

- a. **Regular Session: April 15, 2014:** Approved as published.
- b. **Zoning Public Hearing: April 22, 2014:** Approved as amended. References to color of poles are to be revised. **ACTION: CLERK OF COUNCIL, PLANNING**

Adoption of the Agenda: Adopted as published.

Report of the Attorney for Executive Session Items

- a. **Robert Sweeper vs. Richland County - Litigation Update:** Council voted to approve the settlement. **ACTION: LEGAL**
- b. **Personnel Matter:** Received as information.

Citizen's Input: Two people spoke.

Report of the County Administrator

- a. Employee Recognition:** Ronaldo D. Myers, Director of the Alvin S. Glenn Detention Center, was elected the 3rd Vice President of the American Jail Association, following his election a month earlier to President of the South Carolina Jail Administrators Association.
- b. Alvin S. Glenn Detention Center Accreditation:** The Alvin S. Glenn Detention Center was recommended for American Correctional Association accreditation.
- c. Library Bond Sale:** The County sold the \$35 million Library Bonds and received a 3.035% interest rate. This low interest rate is in part due to the County's AAA bond rating.
- d. Employee Grievances (4) [ACTION]:** Executive Session Item
- e. Community Development Presentation:** Valeria Jackson updated Council on the events and activities held during Community Development Week.

Report of the Clerk of Council

- a. SCAC Annual Conference & Institute of Government Classes, August 2-6, 2014**
- b. Dirt Road Paving Program Groundbreaking, May 8th, 11:30 AM, Mt. Pilgrim Baptist Church, 9300 Farrow Road**
- c. *REMINDER: Budget Work Sessions***
 - May 8th - [General Fund]**
 - May 13th - [Special Revenue, Enterprise and Millage Agencies]**
 - May 15th - [Grants]**
- d. Chamber of Commerce "Small Business Week" Presentation, May 13th, 2:00 PM, Chamber of Commerce**
- e. Richland County Soil & Water Conservation Annual Banquet, May 13th, 6:00 PM, SC Farm Bureau, 724 Knox Abbott Drive**
- f. Turning Leaf Graduation, May 15th, 11:30 AM, Alvin S. Glenn Detention Center**

Report of the Chairman

- a. Personnel Matters:** This item was moved to Executive Session

1. Open/Close Public Hearings

- a. **An Ordinance Amending the Fiscal Year 2013-2014 Transportation Tax Fund Budget to add two full time positions:** No one spoke
- b. **An Ordinance Amending the Fiscal Year 2013-2014 Community Development Department Budget for the Development of one city block within Phase II of the Monticello Road Streetscape Project:** No one spoke
- c. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 1, General Provisions; Section 1-15, Naming of Buildings; so as to amend the title to include properties, facilities and structures and to allow for labeling based on geographic location:** No one spoke
- d. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; by adding Section 2-591 to authorize County Council to determine which purchasing decisions regarding purchasing made exclusively with monies raised through the Penny Tax are of such County-wide significance that County Council has the authority to make the final and conclusive determination to whom to award the contracts:** No one spoke
- e. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 7, Small Local Business Enterprise Procurement Requirements; Section 2-639, General Provisions; Subsection (c), Definitions; so as to amend the definition of Small Business Enterprise; and amending all sections referencing size standards so as to delete such standards from the ordinance and replace with language allowing the Richland County Council to set such standards in a separate schedule to size standards:** One person spoke.

2. Approval of Consent Items

- a. **An Ordinance Amending the Fiscal Year 2013-2014 Community Development Department Budget for the Development of one city block within Phase II of the Monticello Road Streetscape Project [THIRD READING]:** Council gave third reading approval to a budget amendment in the amount of \$71,000 from the City of Columbia for the Community Development Department to develop one city block within Phase II of the Monticello Road Streetscape project. **ACTION: CLERK OF COUNCIL, LEGAL, FINANCE, COMMUNITY DEVELOPMENT, PROCUREMENT, PUBLIC WORKS**
- b. [Removed from Consent] **An Ordinance Amending the Fiscal Year 2013-2014 Transportation Tax Fund Budget to add two full time positions [THIRD**

READING]: Council gave third reading approval to the budget amendment. The vote to reconsider failed. **ACTION: FINANCE, TRANSPORTATION, LEGAL, CLERK OF COUNCIL, HUMAN RESOURCES**

c. **14-02MA**

Noralba Hurtado

RU to GC (.45 Acres) 10356 Broad River Rd.

03300-06-10 [SECOND READING]: Council gave second reading approval to the rezoning amendment. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

d. **14-03MA**

Preston Young

RU to OI (1.5 Acres)

Cabin Creek Rd.

21615-04-26 [SECOND READING]: Council gave second reading approval to the rezoning amendment. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

e. **14-06MA**

Jimmy Derrick

RS-MD to NC (3.83 Acres)

6405 Monticello Rd.

09401-06-09 [SECOND READING]: Council gave second reading approval to the rezoning amendment. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

f. **14-07 MA**

W. D. Morris

GC to LI (3.2 Acres)

Two Notch Rd. & Brickyard Rd.

22804-04-10 [SECOND READING]: Council gave second reading approval to the rezoning amendment. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

g. **Service (One Stop) Requests for Council:** Council approved the process outlined in the Committee Request of Action whereby citizens should receive one official, organized response from Council via the Clerk of Council's Office. One Stop requests should not be closed until a response from Council has been sent by the Clerk's Office. **ACTION: CLERK OF COUNCIL, OMBUDSMAN**

h. **Detention Center: Provide Epoxy Coating System for Phase 1 Housing Showers:** Council approved the repair and upgrade of Phase I housing showers at the Detention Center, in the amount of \$117,720: **ACTION: PROCURMENT, FINANCE, DETENTION CENTER**

i. **Quit Claim of Branning Drive:** Council approved the quit claim. **ACTION: PUBLIC WORKS, LEGAL**

3. Third Reading Items

- a. **An Ordinance Authorizing an Easement to 2T Properties LLC for a sanitary sewer line across land owned by Richland County; specifically a portion of TMS # 14900-01-02.** Council gave third reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing by Adding Section 2-591 to Authorize County Council to Determine which Purchasing Decisions Regarding Purchasing Made Exclusively with Monies Raised through the Penny Tax are of such County Wide Significance that County Council has the Authority to make the Final and Conclusive Determination to whom to award the contracts.** Council gave third reading approval to the ordinance amendment. The vote to reconsider failed. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, CLERK OF COUNCIL, TRANSPORTATION**
- c. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 7, Small Local Business Enterprise Procurement Requirements; so as to amend certain sections referencing size standards to delete such standards from the ordinance and replace with language allowing the Richland County Council to set such standards in a separate "SLBE Schedule of Size Standard Eligibility Requirements"; and amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; by adding a new division entitled 8, Commercial Nondiscrimination Ordinance.** Council gave third reading approval to the ordinance amendment. The vote to reconsider failed. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, CLERK OF COUNCIL**

4. Second Reading Items

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 1, General Provisions; Section 1-15, Naming of Buildings; so as to amend the title to include properties, facilities and structures and to allow for labeling based on geographic location.** Council gave second reading approval to version two of the ordinance amendment. **ACTION: LEGAL, CLERK OF COUNCIL, ADMINISTRATION, SUPPORT SERVICES**
- b. **Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to ratify and approve the internal distribution of revenues received from property located in the park; and other related matters.** Council gave second reading

approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

- 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 American Italian Pasta Company and matters relating thereto.** Council gave second reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- d. **Authorizing an Amendment to the 2003 Fee in Lieu of Ad Valorem taxes arrangement by and between Richland County, South Carolina and American Italian Pasta Company to provide an Infrastructure Credit; and other matters related thereto.** Council gave second reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- e. **Authorizing the Conversion and Extension of a 1995 Fee in Lieu of Ad Valorem Taxes arrangement by and between Richland County, South Carolina and American Italian Pasta Company; and other matters related thereto.** Council gave second reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- f. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26- 177, Lighting Standards; Subsection (b), Standards; Paragraph (1); Subparagraph h; so as to delete reference to pole color.** Council gave second reading approval to the ordinance. **ACTION: LEGAL, CLERK OF COUNCIL, PLANNING**
- g. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction; Definitions; and Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; so as to only allow shipping containers as an accessory use in the RU (Rural), GC (General Commercial District), M-1 (Light Industrial District), LI (Light Industrial) and HI (Heavy Industrial) Zoning Districts.** Council gave second reading approval to ordinance. **ACTION: LEGAL, CLERK OF COUNCIL, PLANNING**

5. 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, 2014 and ending June 30, 2015 [FIRST READING BY TITLE ONLY].** Council gave first reading approval to the ordinance by title only. **ACTION: LEGAL, FINANCE, ADMINISTRATION, CLERK OF COUNCIL**
- 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, 2014, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2014, through June 30, 2015 [FIRST READING BY TITLE ONLY].** Council gave first reading approval to the ordinance by title only. **ACTION: AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL, BUDGET, ADMINISTRATION**
- c. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing by adding Division 9, Prompt Payment Requirements.** Council gave first reading approval to the ordinance amendment. **ACTION: LEGAL, CLERK OF COUNCIL, PROCUREMENT, ADMINISTRATION**
- d. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article V, County Departments; Division 2, Public Works; Section 2-197, Use of County Equipment by Private Parties and During Public Emergencies; and Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-4, Drainage on Private Property; and Section 21-16; so as to broaden the circumstances under which the County may perform emergency maintenance.** Council gave first reading approval to the ordinance amendment. **ACTION: LEGAL, CLERK OF COUNCIL, ADMINISTRATION, PUBLIC WORKS**

6. Report of Administration and Finance Committee

- a. **Motion related to County Attorney's Representation of the Board of Elections and Voter Registration.** Council directed the County Administrator to initiate an immediate review and assessment of how much time the Richland County Attorney's Office is providing legal assistance to the Election Commission and Voter Registration. Should the Administrator determine that the County Attorney's commitment of time is excessive to the extent that his duties to Richland County government are being significantly compromised, the Election Commission and Voter Registration will either be held financially responsible for this time or they will be asked to employ outside legal counsel. **ACTION: ADMINISTRATION, LEGAL**

- b. Potential Yard Waste Management Options.** Council approved, in the short-term, the continuance of disposal of curbside yard waste in landfills and the grinding of wood waste into mulch/compost. Staff is to develop a strategic long-term solid waste management plan that has an economically viable and practical integrated yard waste management component. This plan may include potential public-private partnerships. **ACTION: ADMINISTRATION, SOLID WASTE AND RECYCLING**
- c. Small Local Business Enterprise Program Design Model and Projected Budget Approval.** Council approved the implementation of the proposed SLBE program model and funding of five FTE positions for the Small Local Business Enterprise Program in FY14. Council approved the Certification Specialist and Contracts and Compliance Specialist positions as presented. These two positions are the highest priority for the program. Council approved the remaining three slots for positions to be determined and developed at a later date based on needs of the program. The vote to reconsider failed. **ACTION: ADMINISTRATION, FINANCE, PROCUREMENT, FINANCE, HUMAN RESOURCES**

7. Report of Economic Development Committee

- a. 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 [FIRST READING BY TITLE ONLY].** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. An Ordinance Authorizing a deed to the City of Columbia for certain water lines to serve the JTEKT Koyo Expansion in Northeast Business Park; Richland County TMS #14900-01-16 (p) & 15005-01-02 (p) [FIRST READING].** Council gave first reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- c. An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 170; 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 relating to Project Cesium; and matters relating thereto [FIRST READING BY TITLE ONLY].** Council gave first reading approval by the title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, LEGAL, CLERK OF COUNCIL, FINANCE**
- d. Resolution Authorizing the amendment of the restrictive covenants for the Richland Northeast Industrial Park.** Council approved the Resolution. **ACTION:**

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

- e. **Economic Development Office Lease Agreement.** Council approved the lease agreement. **ACTION: ECONOMIC DEVELOPMENT, FINANCE, LEGAL**

8. Other Items

a. REPORT OF THE TRANSPORTATION AD HOC COMMITTEE:

- i. **Committee recommendation to separate out Greenways from the Program Development Team RFQ and Contract [ACTION].** Council denied the committee's recommendation to separate out Greenways. The vote to reconsider failed. **ACTION: TRANSPORTATION, PROCUREMENT, FINANCE**
- ii. **Committee recommendation to have staff contact SCDOT in attempts to partner with them on their summer resurfacing contracts to include bike lanes and sidewalks on Transportation Penny funded bike/pedestrian projects [ACTION].** Council approved the Committee's recommendation to have staff contact SCDOT. The vote to reconsider failed. **ACTION: ADMINISTRATION, TRANSPORTATION**
- iii. **Committee recommendation to have staff take the draft resurfacing list included in the agenda and work with individual Council members to finalize a resurfacing contract for 2014 [ACTION].** Council approved the Committee's recommendation to have staff work with individual Council members on the resurfacing list. The vote to reconsider failed. **ACTION: ADMINISTRATION, TRANSPORTATION, LEGAL, PROCUREMENT, PUBLIC WORKS**
- iv. **Resolution Designating PDT Solicitation as Significant Purchase [ACTION].** Council approved the Resolution and corresponding RFQ. The vote to reconsider failed. **ACTION: ADMINISTRATION, TRANSPORTATION, CLERK OF COUNCIL, LEGAL, PROCUREMENT**

b. REPORT OF THE HOSPITALITY TAX FEASIBILITY STUDY AD HOC COMMITTEE:

- i. **Hospitality Tax Feasibility Studies.** No action. This item remains in the Ad Hoc Committee. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- ii. **Project Limited Money.** No action. This item remains in the Ad Hoc Committee. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- iii. **Hospitality Tax Fund Update.** No action. This item remains in the Ad Hoc

Committee. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**

c. REPORT OF THE DIRT ROAD COMMITTEE:

- i. Package B Bid results [ACTION].** Council approved the motion to award this contract to Lane Construction in the amount of \$975,232.05. The vote to reconsider failed. **ACTION: TRANSPORTATION, PUBLIC WORKS, PROCUREMENT, FINANCE, LEGAL, ADMINISTRATION**
- ii. Dirt Road Paving Project Development Process [ACTION].** Council approved the Project Development Process included in the agenda, and approved having all \$45 million in Dirt Road Paving constructed within 5 years. **ACTION: TRANSPORTATION**
- iii. Additional Dirt Road Paving Public Outreach [UPDATE].** This item was deferred back to the Dirt Road Committee. **ACTION: TRANSPORTATION**
- iv. Dirt Road Paving Ordinance [ACTION].** Council directed legal staff to develop the ordinance to transition management of the dirt road paving program funded by the Transportation Penny to the Transportation Department. The vote to reconsider failed. **ACTION: TRANSPORTATION, CLERK OF COUNCIL, LEGAL**

d. REPORT OF THE JAIL AD HOC COMMITTEE:

- i. Alvin S. Glenn Detention Center Management and Operations Study.** No action. Item held in Jail Ad Hoc Committee.
- ii. Haile Gold Mine Mitigation Comments.** Council amended the comments regarding the Compensatory Mitigation Issues to reflect that following the transfer of the property to the South Carolina Heritage Trust, the South Carolina Department of Natural Resources will ensure fair and equitable access is guaranteed for every citizen wishing to utilize the property once public use has been determined. **ACTION: CONSERVATION, LEGAL**

9. Citizen's Input. No one spoke

10. Executive Session

- a. Employee Grievances.** Council upheld the Administrator's recommendation. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

11. Motion Period

- a. With a growing aging population and growing county service needs. I move**

to develop "Richland County Commission on Aging" [WASHINGTON]. This item was forwarded to the D&S Committee. **ACTION: ADMINISTRATION**

- b. **I move to fund the SC Philharmonic at \$25,000 using FY14 Hospitality Tax funds [PEARCE].** This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, FINANCE**
- c. **Move to initiate the competitive procurement process for the County's recycling services [WASHINGTON].** This item was forwarded to the D&S Committee. **ACTION: ADMINISTRATION, PROCURMENT, SOLID WASTE & RECYCLING.**
- d. **As cost savings measure my motion is to "Consolidate all printing and mailing operation countywide and put the operations under the Public Information Office". This motion is to be taken up at budget time. [WASHINGTON].** This item was forwarded to the A&F Committee. **ACTION: ADMINISTRATION, PUBLIC INFORMATION**

12. Adjournment: Council adjourned at 11:50pm.