

# **RICHLAND COUNTY GOVERNMENT**



## **Office of the County Administrator**

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

**November 1, 2011**

**6:00 p.m.**

**Call to Order:** Livingston

**Invocation:** Washington

**Pledge of Allegiance:** Washington

#### **Approval of Minutes**

- a. Regular Session: October 18, 2011:** Approved as amended.
- b. Zoning Public Hearing: October 25, 2011:** Approved as published.
- c. Special Called Meeting: October 25, 2011:** Approved as published.

**Adoption of the Agenda:** Adopted as amended.

**Presentations:** Two Deputies were recognized for their performance in a competition in NYC.

#### **Report of the County Attorney**

- a. Pending Litigation:** Deferred.
- b. SCE&G Intervention:** Received as information.

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

#### **Report of the County Administrator**

- a. Business Service Reform Task Force:** Mr. Pope reminded Council of the upcoming meeting on November 2 from 4 – 6. He also updated Council on the public forum.

- b. **SCE&G Intervention:** Executive Session Item.
- c. **Presentation of Budget Book:** Mr. Pope recognized the Finance Director and Budget staff, and thanked them for their work on the budget books.
- d. **Presentation:** Mr. McDonald presented Rodolfo Callwood, Procurement Director, with an award from the Minority Business Development Agency.

#### **Report of the Clerk of Council**

- a. **Richland Memorial Hospital's Annual Luncheon, November 29<sup>th</sup>, 12 noon – 1 pm, Bagnal Board Room**
- b. **November and December Meeting Schedule:** Council changed the December meeting schedule as follows: December 6, 13 = Regular Session Council Meetings; December 20 = Committees, Zoning Public Hearing

#### **Report of the Chairman**

- a. **Letter of Support:** Mr. Livingston is to send a letter of support on behalf of Council to the Richland Community Health Association for their pursuit of a grant. **ACTION: CLERK OF COUNCIL**

#### **1. Public Hearings**

- 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 related matters:** No one spoke.
- b. **An Ordinance Amending the Fiscal Year 2011 – 2012 Neighborhood Improvement and Community Development Fund Annual Budgets to appropriate \$48,641 of Neighborhood Improvement Undesignated Fund Balance for transfer to the Community Development Fund for the CDBG and HOME administrative shortfall:** No one spoke.
- c. **An Ordinance Authorizing (1) the execution and deliver of a fee in lieu of tax and incentive agreement between Richland County, South Carolina and Pure Power Technologies, LLC, acting for itself, one or more affiliates or other project sponsors, in connection with the expansion of certain facilities in the County; (2) the County to covenant in such agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the Expansion Project; (3) special**

source credits to reimburse the Company for a portion of certain costs incurred in connection with the Expansion Project; (4) the benefits of a multi-county park to be made available to the Company and the Expansion Project; and (5) other matters relating thereto: No one spoke.

## 2. Consent Items

- a. [Removed from Consent] **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 related matters [Third Reading]:** Council deferred the item to the November 15, 2011 Council Meeting. **ACTION: AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION, ECONOMIC DEVELOPMENT**
- b. [Removed from Consent] **An Ordinance Authorizing (1) the execution and deliver of a fee in lieu of tax and incentive agreement between Richland County, South Carolina and Pure Power Technologies, LLC, acting for itself, one or more affiliates or other project sponsors, in connection with the expansion of certain facilities in the County; (2) the County to covenant in such agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the Expansion Project; (3) special source credits to reimburse the Company for a portion of certain costs incurred in connection with the Expansion Project; (4) the benefits of a multi-county park to be made available to the Company and the Expansion Project; and (5) other matters relating thereto [Third Reading]:** Council gave third reading approval to the documents as amended. **ACTION: AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION, ECONOMIC DEVELOPMENT**
- c. **An Ordinance Amending the Fiscal Year 2011 – 2012 Neighborhood Improvement and Community Development Fund Annual Budgets to appropriate \$48,641 of Neighborhood Improvement Undesignated Fund Balance for transfer to the Community Development Fund for the CDBG and HOME administrative shortfall [Third Reading]:** Council gave third reading approval to the request to transfer \$48,641 from Neighborhood Improvement to the Community Development Department. **ACTION: COMMUNITY DEVELOPMENT, PLANNING, NEIGHBORHOOD IMPROVEMENT, FINANCE, LEGAL, CLERK OF COUNCIL**

- d. **An Ordinance 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 related to Project Cyrus; and other related matters [Second Reading]:** Council gave second reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**
- e. **An Ordinance Authorizing a Deed to Cohn & Cohn Investments, LLC, for approximately 4.94 acres of land, constituting a portion of Richland County TMS #25800-04-01 [Second Reading]:** Council gave second reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ECONOMIC DEVELOPMENT, FINANCE**
- f. **11-14 MA, Ron Johnson/Longcreek Plantation, RU to RS-LD (4.91 acres), TMS# 20500-05-02, Longtown Road [Second Reading]:** Council gave second reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- g. **11-18 MA, Adams Northeast AME Church/Kay Hightower, RU to GC (10.62 acres), TMS# 17400-05-12/13/14/26, 409 Longtown Road: [Second Reading]:** Council gave second reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- h. [Removed from Consent] **Decker Boulevard / Woodfield Park Neighborhood Redevelopment Overlay District and the Corridor Redevelopment Overlay District [First Reading]:** Council gave first reading approval to the ordinance as amended. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- i. **CDBG Allocation of Funds:** Council approved the allocation and expenditure of CDBG funds for the five designated projects in the amount of \$317,000 and the contingency of completing additional environmental assessments in the event that one of the projects is delayed. **ACTION: COMMUNITY DEVELOPMENT, FINANCE**
- j. **AT&T Leased Line Connections – Countywide:** Council approved the request to continue leasing the lines from AT&T for an amount not to exceed \$243,000. This will allow the county to maintain phones and connectivity to remote sites. **ACTION: INFORMATION TECHNOLOGY, FINANCE**

- k. **Microsoft Licensing – Countywide:** Council approved the request to purchase Microsoft Software Assurance from vendor CompuCom Systems, Inc. on the South Carolina State contract in an amount not to exceed \$131,566. **ACTION: INFORMATION TECHNOLOGY, FINANCE**
  - l. **FY 11 – 12 HUD Annual Action Plan Approval:** Council approved the HUD FY 11-12 Annual Action Plan in its entirety. **ACTION: COMMUNITY DEVELOPMENT, FINANCE**
  - m. **Mass Transit Fee: Commercial Vehicles [To Table]:** Council tabled the item.
  - n. **Criminal Domestic Violence Court Grant Match:** Council approved moving matching funds in the amount of \$24,327 in order to fully fund the Criminal Domestic Violence Grant positions. **ACTION: GRANTS, FINANCE, SOLICITOR'S OFFICE**
  - o. **Hispanic Outreach Grant Match:** Council approved moving matching funds in the amount of \$1,558 in order to fully fund the Hispanic Outreach grant position. **ACTION: GRANTS, FINANCE, SHERIFF'S DEPARTMENT**
  - p. **Historic Preservation Special Project:** Council approved the request to allocate \$20,000 of RCCC funds for the special project to move and stabilize the cabin at Kensington Manor. **ACTION: CONSERVATION COMMISSION, PLANNING AND DEVELOPMENT SERVICES, FINANCE**
  - q. **Hospitality Tax- Round Two Funding Recommendations:** Council approved the funding recommendations as submitted by the Hospitality Tax Advisory Committee. **ACTION: GRANTS, FINANCE**
  - r. [Removed from Consent] **Hospitality Tax County Promotions Grant Program Changes:** Council deferred this item to the November 15, 2011 Council Meeting. **ACTION: GRANTS, FINANCE, LEGAL**
  - s. **Retention Schedule for Detention Center Records:** Council approved the request to establish retention schedules for housing unit journals and classification files to store the records for five years and then destroy. **ACTION: DETENTION CENTER, REGISTER OF DEEDS**
3. **Second Reading Item**
- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations;**

**Section 26-224, Division of Real Property to Heirs of a Decedent; so as to exempt certain subdivisions from road construction requirements:** Council gave second reading approval to the text amendment ordinance, which includes the hold harmless agreement. The title is to be clarified for third reading. **ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

**4. Report of the Development and Services Committee**

- a. **Low Traffic Volume Road Paving Program [Deferred from October 4, 2011 Council Meeting]** Council approved the Low Volume paving program. They removed ten (10) roads that do not have homes, churches, or businesses located on them. **ACTION: PUBLIC WORKS, PROCUREMENT, FINANCE**
- b. **Ordinance to Prohibit “bath salts” and synthetic marijuana [First Reading]:** Council tabled this item. **ACTION: CLERK OF COUNCIL, LEGAL**
- c. **Expiring Solid Waste curbside collection contracts for areas 2 & 6:** Council directed staff to renegotiate the contracts, including potential additional levels of service, with the current vendors. **ACTION: ADMINISTRATION, SOLID WASTE, PROCUREMENT, LEGAL**

**5. Report of the Administration and Finance Committee**

- a. **Internal Auditor Engagement:** Council voted to add the Chair of the Economic Development Committee and the Chair of the Rules and Appointments Committee to the Internal Auditor Ad Hoc Committee. This requires an ordinance amendment. The Internal Auditor is to report to Council, as is the current practice. The Ad Hoc Committee is to meet as soon as possible. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, LEGAL**

**6. Report of the Economic Development Committee**

- a. **Authorizing the Execution and Delivery of an Amendment to the Fee Agreement between Richland County, South Carolina, and a Company formerly referred to as Project Y to provide for a new effective date and millage rate; and other related matters [First Reading by Title Only:** Council gave first reading approval by title only to the Amendment to the Fee Agreement. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER, ECONOMIC DEVELOPMENT, FINANCE**

- b. **Governmental Affairs Representative Services Contract Renewal:** Council deferred this item to the November 15, 2011 Council Meeting. **ACTION: ADMINISTRATION, PROCUREMENT, FINANCE, ECONOMIC DEVELOPMENT, CLERK OF COUNCIL**

7. **Report of Rules and Appointments Committee**

- a. **Notification of Vacancies:** Advertise. Clerk of Council staff is also to pursue various means of advertising for vacancies. **ACTION: CLERK OF COUNCIL**

- i. **Airport Commission – 3 [Donahoo, Goudelock, Purcell]**
- ii. **Lexington / Richland Alcohol and Drug Abuse Council – 2 [Harbeson, Matheus]**
- iii. **Richland Memorial Hospital Board – 4 [Frierson, Hudgins, Isreal, Reynolds]**

- b. **Notification of Appointments**

- i. **Accommodations Tax Committee – 2 [No applications]:** Readvertise. **ACTION: CLERK OF COUNCIL**
- ii. **Appearance Commission – 2 [No applications]:** Readvertise. **ACTION: CLERK OF COUNCIL**
- iii. **Board of Assessment Control – 1 [No applications]:** Readvertise. **ACTION: CLERK OF COUNCIL**
- iv. **Board of Zoning Adjustments and Appeals – 4 [McDuffie, Perrine, Rush, Smith, Spearman]:** McDuffie, Rush, Smith, and Spearman were appointed. **ACTION: CLERK OF COUNCIL**
- v. **Building Codes Board of Adjustments and Appeals – 3 [No applications]:** Readvertise. **ACTION: CLERK OF COUNCIL**
- vi. **Business Service Center Appeals Board – 1 [No applications]:** Readvertise. **ACTION: CLERK OF COUNCIL**
- vii. **Internal Audit Committee – 1 [No applications]:** Readvertise. **ACTION: CLERK OF COUNCIL**
- viii. **Music Festival Board – 2 [Baker, Cunningham]** Baker was appointed. Readvertise the remaining vacancy. **ACTION: CLERK OF COUNCIL**

- c. **Discussion from Rules and Appointments Committee**
  - i. **When speaking during the citizen's input portion of council meetings, persons currently serving on Richland County Commissions of any kind are not allowed to use their title or the commission name unless they have received unanimous consent from the commission to do so [Malinowski]: Council approved the item. ACTION: CLERK OF COUNCIL, LEGAL**
- 8. **A Resolution to Appoint and Commission George Ricardo Carroll as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, ANIMAL CARE**
- 9. **A Resolution to Appoint and Commission Travis Shane Conrad as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, ANIMAL CARE**
- 10. **Report of the Fire Ad Hoc Committee:** Mr. Pope received a letter from the City regarding the contract renewal. Mr. Pope will draft a response letter, and forward it to the Fire Ad Hoc Committee for review. The Committee has met, and completed a draft of the revised preliminary Fire Contract. The document addresses all items included in the audit. The Committee will meet again on November 9, 2011, and will forward information to Council on November 15, 2011. **ACTION: ADMINISTRATION, EMERGENCY SERVICES, CLERK OF COUNCIL, LEGAL**
- 11. **Report of the Regional Recreation Complex Ad Hoc Committee**
  - a. **Work Authorization #3:** Council approved the proposed Work Authorization. Staff is to renegotiate the contract. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, FINANCE**
  - b. **Work Authorization #4:** Council approved the proposed Work Authorization. Staff is to renegotiate the contract. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, FINANCE**
- 12. **Citizens' Input:** No one spoke.
- 13. **Motion Period**
  - a. **Resolutions honoring the Spann Watson Chapter, Tuskegee Airman Inc.: Major General Irene Trowell-Harris, US Air Force Retired; Brigadier General Darlene M. Goff, SC Army National Guard;**

Lieutenant Colonel Rose Fitchett, US Army Retired; Command Sergeant Major Teresa L. King, US Army [Livingston]: Council approved the Resolutions. **ACTION: CLERK OF COUNCIL**

- b. **That a policy be created regarding how to deal with approved grants prior to budget time and again at budget time when grants have been reduced or eliminated. When the grant ends, Richland County will not provide additional funds in that agency's budget and they will have to absorb it if they want to keep it. [Malinowski]: Forwarded to the A&F Committee. ACTION: ADMINISTRATION, GRANTS**
  
  - c. **Motion that Council rules be amended such that when 5 or fewer people are signed up to speak to non-agenda items they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting). If 6 or more people are signed up to speak on a non-agenda item, then Council's current rule will take affect. Rationale: This motion is submitted in the interest of making Council meetings more citizen friendly to those who wish to speak. This motion is designed to allow a small number of citizens wishing to speak to a non-agenda item to do so without the hardship of having to wait for the entire Council meeting to finish before having the opportunity to speak on an issue. This motion will still give affect to the current rule but allow a small number of citizens (5 or fewer) wishing to speak to a non-agenda item the courtesy of speaking without having to wait potentially hours for the current non-agenda citizen input portion of our Council meetings. [Hutchinson, Jackson, Rose]: Forwarded to the Rules and Appointments Committee. ACTION: CLERK OF COUNCIL**
14. **Adjournment:** Council adjourned at 9:50 p.m.