



# RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

## Council Actions Report Regular Session Council Meeting December 6, 2016 6:00PM

**Call to Order:** Rush

**Invocation:** Pearce

**Pledge of Allegiance:** Pearce

### **Presentation of Proclamation**

- a. **Director's Customer Service Competition Recognition/Award Presentation:** The County's Register of Deeds Office, Community Development, Animal Care, IT, Finance, Solid Waste, Building Inspections and Public Works departments presented information to Council on their efforts for improving customer service. Council awarded the Customer Service award to the Public Works department.

### **Approval of Minutes**

- a. **Regular Session: November 15, 2016:** Approved as published.

**Adoption of Agenda:** Adopted as published.

### **Report of the Attorney for Executive Sessions Items**

- a. **Potential Contractual Matter: Palmetto Utilities, Inc.**
- b. **Pending Litigation Update: Richland County vs. SC Department of Revenue**
- c. **Personnel Matter**
- d. **Shop Road Extension Phase One**

**Citizen's Input:** Three people spoke.

**Report of the County Administrator:** No report provided.

## Report of the Clerk of Council

- a. **REMINDER: China Jushi Groundbreaking, December 8th, Pineview:** Ms. Onley reminded Council of the upcoming China Jushi Groundbreaking on December 8, 2016 at the Pineview Industrial Park.
- b. **REMINDER: Council Farewell Drop-In, December 13th, 4th Floor Conference Room, 4:45:** Ms. Onley reminded Council of the Council Farewell Drop-In on December 13, 2016 in the 4<sup>th</sup> floor conference room at 4:45 p.m.

## Report of the Chairman

- a. **Personnel Matter:** Executive Session item.

## Open/Close Public Hearings

- a. **In Support of the issuance by the South Carolina Jobs Economic Development Authority of its Economic Development Revenue Bonds (Green Midlands, LLC Project), in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$13,875,000:** No one spoke.
- b. **Resolution approving the issuance of not to exceed \$72,000,000 of tax exempt bonds to be issued by the Public Finance Authority to finance and refinance certain costs of various projects on behalf of the Foundation for Affordable Housing.:** One person spoke.
- c. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; so as to move the division known as the Office of Small Business Opportunity from Procurement so that this division directly reports to the County Administrator.:** No one spoke.

## 1. Approval of Consent Items

- a. **Support Services: Township Auditorium Safety Catwalk Upgrade:** Council approved the execution of a contract in the amount of \$180,000, plus a 10% contingency amount of \$18,000, for a total of \$198,000, with AAA Utilities and Construction to upgrade the Township Auditorium maintenance catwalk safety system located in the attic of the facility. **ACTION: LEGAL, CLERK OF COUNCIL, FINANCE, SUPPORT SERVICES**

## 2. Third Reading Items

- a. **An Ordinance Authorizing the First Amendment of that certain fee agreement by and between Richland County, South Carolina and Sensor Electronic Technology, Inc., relating to, without limitation, extension of the completion date to allow for**

**continuing and further investment in the project and other related matters:** 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; so as to move the division known as the Office of Small Business Opportunity from Procurement so that this division directly reports to the County Administrator:** Council gave third reading approval to the ordinance amendment. **ACTION: LEGAL, CLERK OF COUNCIL, ADMINISTRATION**

### **3. Report of Administration & Finance Committee**

- a. Council Motion: Motion to Approve Ordinance that Prohibits the Payment of Legal Fees and / or Financial Judgements Created by any Department and/or Agency that does not Directly Report Administratively to Richland County Government:** Council gave first reading approval to the ordinance. **ACTION: CLERK, LEGAL, FINANCE, ADMINISTRATION**
- b. Council Motion: Seed Funding for Commemorating Fort Jackson's 100th Birthday:** Council gave first reading approval to the budget amendment in the amount of \$1 for commemorating Fort Jackson's 100<sup>th</sup> Birthday. **ACTION: CLERK, LEGAL, FINANCE, ADMINISTRATION**
- c. Freedom of Information Act Policy Revision:** Council approved the revised Freedom of Information Act policy. **ACTION: LEGAL, FINANCE, CLERK OF COUNCIL, PUBLIC INFORMATION, OMBUDSMAN, ADMINISTRATION**

### **3. Report of the Rules and Appointments Committee**

#### **a. Notification of Appointments**

- i. Planning Commission – 1:** Council voted to re-advertise this vacancy. **ACTION: CLERK OF COUNCIL**
- ii. Central Midlands Council of Governments (CMCOG) – 1:** Council voted to re-advertise this vacancy. **ACTION: CLERK OF COUNCIL**
- iii. Hospitality Tax – 3:** Council voted to appoint Micah Taylor Lybrand and re-advertise the other two vacancies. **ACTION: CLERK OF COUNCIL**

### **4. Report of the Transportation Ad Hoc Committee**

- a. North Main Street Widening Project: Construction contract award:** Council approved the construction contract award to L-J Incorporated in the amount of \$40,223,585.83 which includes the 10% contingency. Additionally, Council increased

the utility relocation authorization to \$8,700,000. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION, FINANCE, PROCUREMENT, TRANSPORTATION**

- b. Shop Road Extension Phase I Project: Construction contract award:** This item was discussed in Executive Session. Upon the conclusion of Executive Session, in the Open Session, Council approved the construction contract award to McClam & Associates in the amount of \$26,993,211.25 which includes the 10% contingency. Additionally, Council authorized \$1,226,964.15 for utility relocations. The vote to reconsider failed. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION, FINANCE, PROCUREMENT, TRANSPORTATION**

## **5. Other Items**

- a. In Support of the issuance by the South Carolina Jobs Economic Development Authority of its Economic Development Revenue Bonds (Green Midlands, LLC Project), in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$13,875,000:** Council approved and adopted the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION, FINANCE, ECONOMIC DEVELOPMENT**
- b. Resolution approving the issuance of not to exceed \$72,000,000 of tax-exempt bonds to be issued by the Public Finance Authority to finance and refinance certain costs of various projects on behalf of the Foundation for Affordable Housing:** Council approved and adopted the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION, FINANCE, ECONOMIC DEVELOPMENT**
- c. A Resolution to appoint and commission Jeffrey K. Osteen 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, BUILDING INSPECTIONS**
- d. A Resolution to appoint and commission Lou Dinkins as a Residential Building Inspector for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, LEGAL, BUILDING INSPECTIONS**

**5. Citizen's Input:** Two people spoke.

## **6. Executive Session**

- a. Potential Contractual Matter: Palmetto Utilities, Inc.:** Received as information. No action taken.

- b. Pending Litigation Update: Richland County vs. SC Department of Revenue:**  
Received as information. No action taken.
- c. Personnel Matter:** Council approved offering the position of County Administrator to Gerald Seals under the same terms and conditions as the contract with the former County Administrator, contingent up on Mr. Seals' signature on the contract. The vote to reconsider failed. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION**
- d. Shop Road Extension Phase One:** Council approved the construction contract award to McClam & Associates in the amount of \$26,993,211.25 which includes a 10% contingency. Additionally, Council authorized \$1,226,964.15 for utility relocations. The vote to reconsider failed. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION, FINANCE, PROCUREMENT, TRANSPORTATION**

## **7. Motion Period**

- a. Resolution supporting McEntire Joint National Guard Base's designation as the new home of the F-35 Program [JACKSON and MYERS]:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL**
- b. Resolution recognizing Stephanie Johnson as the 2017 Horace Mann Award of Teaching Excellence recipient [LIVINGSTON]:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL**
- c. Resolution recognizing January as Anti-Human Trafficking Month [MANNING, DIXON]:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL**
- d. Move to direct the Administrator to review and propose a policy concerning the annual allocation and distribution of County funds to non-County entities for the consideration of County Council. This proposed policy can apply to the County's current promotional and community services-based funding initiatives, including the Hospitality Tax, Accommodations Tax and Discretionary grant programs. A key understanding of this motion is that the Administrator will prepare a proposed policy by mid-January 2017 so that Council has ample time to consider and adopt an eventual policy well in advance of Council budget deliberations and in time to inform the public of the eventual adopted policy. Further, this motion is based on the assumption that the vetting of the details of the proposed policy will proceed through the Administration & Finance Committee of County Council [RUSH, ROSE, DICKERSON, MALINOWSKI and MYERS]:** Council referred this item to the County Administrator for action. **ACTION: ADMINISTRATION**
- e. Direct staff to create a more detailed reporting method to assure complete transparency in how individuals/groups receiving Richland County funds spend them, to include Hospitality Tax and Accommodations Tax [MALINOWSKI]:**

Council combined this item with motion d and referred it to the County Administrator for action. **ACTION: ADMINISTRATION**

- f. Direct staff to research if it is legal to establish minimum starting salaries for newly elected officials so those newly elected persons do not start at their predecessor's salary that has increased greatly over several years due to being re-elected**  
**[MALINOWSKI]:** Council referred this item to the County Administrator for action.  
**ACTION: ADMINISTRATION**

**Adjournment:** Council adjourned at approximately 9:30pm.