

RICHLAND COUNTY GOVERNMENT



**OFFICE OF THE COUNTY ADMINISTRATOR
COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
COUNCIL MEETING**

February 5, 2013

6:00 p.m.

Call to Order: Washington

Invocation: Dickerson

Pledge of Allegiance: Dickerson

Approval of Minutes:

- a. **Regular Session: January 15, 2013:** Approved as published.
- b. **Zoning Public Hearing: January 22, 2013:** Approved as published.

Adoption of Agenda: A motion was made to have item 40 on page 5 (Transportation Penny Advisory Committee) moved up to item 2.5 in order to complete the voting process earlier in the meeting. Agenda adopted as amended.

- 2.5 Transportation Penny Advisory Committee:** Council held a vote to select candidates to be seated on this Committee (names of appointed committee members are listed under Item 5f).

Report of the Attorney for Executive Session Items:

- a. **Election Protest Update**
- b. **SOB Options (Renamed Litigation Update)**
- c. **Update: Richland County vs. Power Engineering**
- d. **Project Packaging.** A motion was made and passed to have this item discussed during the time when votes for the Transportation Penny Advisory Committee candidates were being counted since this item involved outside counsel. Council approved the motion to proceed as discussed in Executive Session.
- e. **Employee Grievance**

Citizens' Input: No one spoke.

Report of the County Administrator:

- a. **Employee Grievance:** Executive Session item.

Report of the Clerk of Council: No items to report.

Report of the Chairman:

- a. **2013 City/County/Legislative Delegation Reception, 1701 Whaley Street 6-8PM:** Chairman Washington provided details of the Reception. The address was corrected to read “701” rather than “1701” Whaley Street.

Open/Close Public Hearings:

- a. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate the Grant Expenditure and Transfer of \$138,121.33 of Non-appropriated funds for programs in the Solicitor’s and Sheriff’s Office using said funds related to and from the Lending Tree Settlement.** No one spoke.

1. Consent Items

- a. **[Removed from Consent] An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Certain Subdivisions Exempt from Road Standards; so as to delete the requirement of County review fees [THIRD READING].** Council deferred third reading to the February 19, 2013 Council meeting. **ACTION: PLANNING, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**
- b. **Authorizing the execution and delivery of a Purchase Agreement between the County and Deja Properties, LLC, to provide for the conveyance of certain property owned by and located in the County to Deja Properties, LLC and Thermal Technologies, Inc., and other matters related thereto [SECOND READING].** Council gave second reading approval to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**
- c. **13-01MA
Columbia United FC
Stephen D. Searcy
CC4 to CC3 (24.14 Acres)
Sunbelt Blvd.
09409-01-03 [SECOND READING]**
Council gave second reading approval to the map amendment ordinance.
ACTION: CLERK OF COUNCIL, PLANNING, LEGAL
- d. **13-02MA
Circle K Inc.
Evan Walton
NC/MH to GC (1.5 Acres)
Fore Ave. & Aubrey St.
22914-02/01/10/11 [SECOND READING]**

Council gave second reading approval to the map amendment ordinance.
ACTION: CLERK OF COUNCIL, PLANNING, LEGAL

- e. **Curfew for Community Safety.** Council approved the establishment of a task force and for the chair to appoint its members. The task force will provide recommendations to Council by February 28, 2013. **ACTION: CLERK OF COUNCIL**
- f. **Existing Paved Road Resurfacing Funds Distribution.** Council approved the creation of a method of distributing funds for resurfacing existing paved roads in the same manner as dirt roads, but prioritize based upon condition of road. **ACTION: ADMINISTRATION, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**
- g. **Memorandum of Understanding and Agreement between Richland County and Forest Acres.** Council approved the MOU. Richland County will provide commercial building code inspections and plan reviews on behalf of Forest Acres until they hire a new Building Official. **ACTION: BUILDING CODES AND INSPECTIONS, LEGAL, ADMINISTRATION, CLERK OF COUNCIL**
- h. **An Ordinance Authorizing Quit Claim Deed to Dorothy Jean Allison Vinson for a certain parcel of land located in Richland County, approximately seven (7) miles northwest of the City of Columbia, being described as a triangular crosshatched area of 0.46 acres more or less, and being a portion of Richland County TMS # 06600-02-14 [FIRST READING].** Council gave first reading approval to the ordinance. **ACTION: SOLID WASTE, PLANNING, LEGAL, CLERK OF COUNCIL**
- i. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article XI, Energy Conservation Code; Section 6-192, Adopted; so as to adopt and codify the 2009 Edition of the International Energy Conversation Code [FIRST READING].** Council gave first reading approval to the ordinance. **ACTION: BUILDING CODES AND INSPECTIONS, CLERK OF COUNCIL, LEGAL**
- j. **Caughman Lake Property Study (Pinewood Lake Park).** Council approved the request to have the D&S Committee form an Ad Hoc Committee to review the Pinewood Lake Park Study and associated documents. Jackson is recommended to Chair the Ad Hoc Committee, and Malinowski and Pearce volunteered to serve. The Ad Hoc Committee will bring back recommendations to the D&S Committee. **ACTION: PUBLIC WORKS, PLANNING, CLERK OF COUNCIL, ADMINISTRATION**
- k. **Tax Increment Financing (TIF) on Broad River Road.** Council approved the request to have staff proceed with discussions with the City of Columbia.

ACTION: CLERK OF COUNCIL, PLANNING

- l. [Removed from Consent] Employee Discounts Link on the Employee Intranet.** Council approved the creation of an Employee Discounts link on the Employee Intranet site. **ACTION: CLERK OF COUNCIL, HUMAN RESOURCES, ADMINISTRATION, INFORMATION TECHNOLOGY, LEGAL**
- m. [Removed from Consent] Richland County’s Holiday Schedule.** Council deferred this item for discussion during budget meetings. **ACTION: ADMINISTRATION, HUMAN RESOURCES, FINANCE**
- n. Miss South Carolina Pageant Funding Request.** Council approved the request for allocation of \$25,000 in Hospitality Tax funds to the Pageant. **ACTION: ADMINISTRATION, GRANTS, FINANCE**
- o. Consultant Services for Medicare Benefit Insurance RFQ.** Council approved negotiations and award of contract if negotiations are successful with AON for insurance consulting services. **ACTION: HUMAN RESOURCES, PROCUREMENT, FINANCE**
- p. Addressing Council’s Expense Accounts for Districts 7 and 9 [DENIAL].** Council approved the denial of this item. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, FINANCE**
- q. 1. A General Bond Ordinance authorizing and providing for the issuance of Hospitality Tax Revenue Bonds of Richland County, South Carolina; prescribing the form of bonds; providing for the payment of the bonds from the sources provided herein; creating certain funds and providing for payments into such funds; and other matters relating thereto [FIRST READING BY TITLE ONLY].** Council gave first reading approval to the item by title only. **ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**

2. A First Supplemental Ordinance providing for the issuance and sale of Richland County, South Carolina, Hospitality Tax Refunding Revenue Bonds, Series 2013, or such other appropriate series designation, in the principal amount of not exceeding \$22,750,000; delegating authority to the County Administrator to determine certain matters with respect to the bonds; prescribing the form and details of such bonds; and other matters relating thereto [FIRST READING BY TITLE ONLY]. Council gave first reading approval to the item by title only. **ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**
- r. An Ordinance Authorizing the issuance and sale of not to exceed \$6,000,000**

General Obligation Bonds, Taxable Series 2013A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [FIRST READING BY TITLE ONLY]. Council gave first reading approval to the item by title only. **ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**

2. Report of Administration and Finance Committee:

- a. **Policy to Deny Use of Outside Legal Counsel that has any Current Pending Lawsuit Against the County.** Council deferred this item to the February 19, 2013 Council meeting. **ACTION: LEGAL, ADMINISTRATION, CLERK OF COUNCIL**

3. Report of Economic Development Committee:

- a. **Easement Relocation Option Agreement between Richland County and Southland Log Homes.** Council unanimously approved, as amended, to include language for future maintenance of road. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL**
- b. **Shop Road Extension Contract Change Order.** Council unanimously approved the proposed change order in the amount of \$104,900 for Conceptual Roadway Alignments & Design Services, Wetlands Delineation and Permitting, Traffic Impact Study and Traffic Signal Design. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, PROCUREMENT, FINANCE**
- c. **Provide \$20,000 to assist in funding the Famously Hot New Year's Celebration.** Council approved Committee's recommendation for an appropriation of \$10,000 of the request to come from H-Tax Funds previously appropriated for the SIAC tournament, which will not occur in Richland County. Motion for reconsideration failed. **ACTION: ADMINISTRATION, GRANTS, FINANCE**

4. Report of Rules and Appointments Committee:

- a. **Notification of Vacancies**
1. **Board of Zoning Appeals-2; there will be two vacancies on this board:**

Susanne H. Cecere, February 2, 2013
T. Ralph Meetze, February 2, 2013*

*Eligible for Reappointment. Advertise. **ACTION: CLERK OF**

COUNCIL

2. **Community Relations Council-2; there will be two vacancies on this board:**

Allen J. Coles, February 2, 2013*
Dr. Frank E. White, March 16, 2013

*Eligible for Reappointment. Advertise. **ACTION: CLERK OF COUNCIL**

3. **Hospitality Tax Committee-3; there will be three vacancies on this board:**

Eddie Green, March 15, 2013
Robert G. Tunell, March 15, 2013*
Derrick Williams, March 15, 2013

*Eligible for Reappointment. Advertise. **ACTION: CLERK OF COUNCIL**

4. **Internal Audit Committee-1; there will be one vacancy on this board:**

Dr. Sandra Manning, March 6, 2013*

*Eligible for Reappointment. Advertise. **ACTION: CLERK OF COUNCIL**

5. **Planning Commission-2; there will be two vacancies on this board:**

Heather Cairns, March 3, 2013*
Stephen L. Gilchrist, February 3, 2013*

*Eligible for Reappointment. Advertise. **ACTION: CLERK OF COUNCIL**

b. Discussion from Rules and Appointments Committee

1. **Central Midlands Council of Governments; additional appointments required.** Council approved motion for Chair to appoint two (2) Council members. Staff will advertise the citizen position.
ACTION: CLERK OF COUNCIL, ADMINISTRATION
2. **Dissolve the Richland County Appearance Commission and amend the Richland County Conservation Commission's responsibilities to include appearance. This motion is based on 1) overlapping areas of**

responsibilities under enabling ordinances for each Commission and the Richland County Strategic Plan, 2) availability of funding needed to support similar and/or duplicative projects and 3) difficulties maintaining membership in the Appearance Commission [PEARCE and MANNING] [FIRST READING]. A motion to dissolve the Appearance Commission was passed based on items 1 and 2; however, 3 was stricken. Council gave first reading approval to the ordinance amending the Conservation Commission's duties to include appearance. Motion for reconsideration failed. **ACTION: CLERK OF COUNCIL, LEGAL, ADMINISTRATION, CONSERVATION**

5. Other Items

- a. **FY 13-14 Budget Calendar.** Motion to adopt the FY 13-14 budget calendar was passed. **ACTION: FINANCE, CLERK OF COUNCIL, ADMINISTRATION**
- b. **2013 Council Retreat Directives.** Council unanimously approved all items, except items on pages 224 to 226D of the agenda, which were deferred. Motion for reconsideration failed. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- c. **USDA Rural Development Resolution and Letter of Conditions.** Deferred to next meeting. **ACTION: CLERK OF COUNCIL, UTILITIES, ADMINISTRATION, GRANTS**
- d.
 1. **Application for locating a Community Residential Group Home in an Unincorporated area of Richland County: 4824 Smallwood Road, Columbia, SC 29223.** Deferred to next meeting. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
 2. **Application for locating a Community Residential Group Home in an Unincorporated area of Richland County: 1915 Heyward Brockington Road, Columbia, SC 29203.** Motion to approve this item was passed. **ACTION: ADMINISTRATION**
- e. **Report of the Regional Recreation Complex Ad Hoc Committee:** Councilman Rush was recognized as the Chair. Councilman Rush provided report to Council.
 1. **Work Authorization.**
 - a. **Multi-Uses of the Park.**
 - b. **Architecture Style.**
 - c. **Cost Estimate.**Remains in Committee. **ACTION: ADMINISTRATION**
 2. **Oversight Committee.** Remains in Committee. **ACTION:**

ADMINISTRATION

3. **Contract with Columbia United.** Remains in Committee. **ACTION: ADMINISTRATION**

- f. **Transportation Penny Advisory Committee.** Council voted to appoint the following candidates to the Committee (as held earlier in the meeting):

- 1) Elise Bidwell
- 2) Derrick E. Huggins
- 3) Melvin Hayes Mizell
- 4) Dorothy A. Sumter
- 5) Natalie C. Britt
- 6) Jennifer D. Bishop
- 7) James T. McLawhorn

ACTION: CLERK OF COUNCIL

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

7. Executive Session

- a. **Election Protest Update:** Received as information. **ACTION: LEGAL**
- b. **Litigation Update:** Received as information. **ACTION: LEGAL**
- c. **Update: Richland County vs. Power Engineering:** Council approved motion to proceed as discussed in Executive Session. **ACTION: LEGAL**
- d. **Project Packaging.** Council approved motion to proceed as discussed in Executive Session (as held earlier in the meeting). **ACTION: ECONOMIC DEVELOPMENT**
- e. **Employee Grievance:** Council approved motion to proceed as discussed in Executive Session. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

8. Motion Period

- a. **Heart Healthy Month Resolution and a "Go Red" Day for Richland County [DICKERSON].** Council approved the Resolution and a "Go Red" Day for Richland County. **ACTION: CLERK OF COUNCIL**
- b. **The State paper was quoted as follows: "Central Midlands Regional Transit Authority board members will consider this year whether to stick with Veolia Transportation to run Columbia area buses.**

Taxpayers have given approval for the CMRTA to receive over 300 million tax dollars to be spent over the next 22 years. Veolia has consistently refused to disclose to the taxpayers specifically how they spend those tax dollars. These are 300 million hard earned tax dollars of residents and they deserve to know how their taxes are being spent. With that information I am submitting the following motion:

The Veolia Transportation company hired by CMRTA must provide total accountability and transparency in spending all Richland County tax dollars they receive. If they refuse, Richland County Council should request the CMRTA board to find another bus management company. [MALINOWSKI]. Council forwarded this item to the Joint Transportation Committee. ACTION: JOINT TRANSPORTATION COMMITTEE, CLERK OF COUNCIL, LEGAL, ADMINISTRATION, FINANCE

- c. To ask staff to look into residential parking permits for the County portions of Olympia and neighboring communities [ROSE and WASHINGTON]. Council forwarded this item to the March D&S Committee. ACTION: PLANNING, LEGAL, ADMINISTRATION**

- d. Revisit the disproportional distribution of current Hospitality Tax Ordinance agencies with a recommended funding formula adjustment being as follows: 40% for the County Promotions grant program; 25% for Historic Columbia Foundation; 20% for Columbia Museum of Art; and 15% for EdVenture. Additionally, the percentages should be revisited on alternating years following a general election. [MANNING]. Council forwarded this item to the February A&F Committee. ACTION: GRANTS, ADMINISTRATION**

9. Adjournment: Council adjourned at 9:36 p.m.