

RICHLAND COUNTY GOVERNMENT



OFFICE OF THE COUNTY ADMINISTRATOR

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

March 5, 2013

6:00 p.m.

Call to Order: Washington

Invocation: Malinowski

Pledge of Allegiance: Malinowski

Approval of Minutes:

- a. **Regular Session: February 19, 2013:** Approved as published.
- b. **Special Called: February 26, 2013:** Approved as published.
- c. **Zoning Public Hearing: February 26, 2013:** Approved as published.

Adoption of Agenda: Adopted as published.

Report of the Attorney for Executive Session Items:

- a. **Land Development Code**
- b. **Singley vs. Norfolk Southern**
- c. **Hospitality Bonds.** A motion was made and passed to have this item discussed during the Attorney's Report for Executive Session Items section because the matter involved outside counsel. Staff was directed to proceed with bond counsel as discussed in Executive Session. **ACTION: FINANCE, LEGAL, CLERK OF COUNCIL**

Citizens' Input: No one spoke.

Report of the County Administrator:

- a. **ASGDC Personnel Matter.** Executive Session item.
- b. **Introduction of County Engineer.** Mr. McDonald introduced to Council the new County Engineer, Ismail Ozbek, PE.

Report of the Clerk of Council:

- a. **County Council Photograph Re-Shoot, March 19th, 5:40 p.m., Council Chambers.** Council was provided the details of the photograph retake session.
- b. **CASA Quarterback Celebration, March 14th, 5:30 p.m., Dogwood Pond, 3800 Elberta Street.** Council was provided the details of the CASA Quarterback Fish Fry Celebration.

Report of the Chairman:

- a. **Councilwoman Dickerson's Swearing-In Ceremony.** Council was provided the details of the swearing-in ceremony of Councilwoman Dickerson as Chair of the National Foundation of Women Legislators (NFWL). The event will take place at the State House Rotunda on March 7, 2013 at 11:00 a.m. Washington requested Council members and others to RSVP for the event.
- b. **2013 Legislators Exchange Program Funding Request.** Jeter requested the Minutes of the April 17, 2012 Council meeting be provided to Council. This request was forwarded to the March 26, 2013 A&F Committee. **ACTION: ADMINISTRATION, FINANCE**
- c. **Town of Eastover's 35th Annual Barbeque Festival Funding Request.** This request was forwarded to the March 26, 2013 A&F Committee **ACTION: ADMINISTRATION, FINANCE**
- d. **Columbia's First HipHop Family Day: Love, Peace & HipHop Funding Request.** This request was forwarded to the March 26, 2013 A&F Committee. **ACTION: ADMINISTRATION, FINANCE**
- e. **Passing of former employee, Barbara Scott.** Council was informed of the passing of former employee, Barbara Scott.
- f. **Consistency in Leadership Breakfast, Wednesday, March 13, 7:30-9:00 a.m. at Seawell's.** Council was provided the details of the breakfast where the Richland County Administrator, Tony McDonald, and the City Manager of Columbia, Teresa Wilson, are the guests of honor.

Open/Close Public Hearings:

- a. **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.** No one spoke.

- b. **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 Conservation Code. No one spoke.**
- c. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; so as to abolish the Appearance Commission and to amend the Conservation Commission's responsibilities to include appearance. One person spoke.**
- d. **An Ordinance Authorizing the issuance and sale of not to exceed \$6,000,000 General Obligation Bonds and General Obligation Refunding 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. No one spoke.**

1. Consent Items:

- a. **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 [THIRD READING]. Council gave third reading approval to the ordinance. ACTION: SOLID WASTE, PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **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 Conservation Code [THIRD READING]. Council gave third reading approval to the ordinance. ACTION: BUILDING CODES AND INSPECTIONS, CLERK OF COUNCIL, LEGAL**
- c. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Section 21-21, Transportation Improvement Program; so as to include funds for resurfacing of existing paved roads [SECOND READING]. Council gave second reading approval to the ordinance. ACTION: ADMINISTRATION, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**
- d. **Purchase of Parcels for Devil's Ditch Enhancement. Council gave approval to the purchase of six undeveloped parcels without the use of real estate appraisals where the parcels can be purchased at or below the cost of associated appraisals. ACTION: PUBLIC WORKS, PLANNING, FINANCE, CONSERVATION,**

LEGAL

- e. **Review Change of Use Requirements for Small Businesses on Existing Property [TO TABLE].**
 - f. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 2, Building Codes and Inspections Director; Section 6-31, Powers and Duties; Subsection (E), Determination of Alternate Materials and Alternate Methods of Construction; and Subsection (F), Reports; so as to properly reference the Building Codes Board of Appeals rather than the "Building Codes Board of Adjustment" [FIRST READING].** Council gave first reading approval to the ordinance. **ACTION: BUILDING CODES AND INSPECTIONS, CLERK OF COUNCIL, LEGAL, ADMINISTRATION**
 - g. **Modification of Kershaw County WWTP Settlement.** Council gave approval to amend the May 2006 agreement, which allows Palmetto Utilities to provide wastewater collection and treatment services to portions of Kershaw County. **ACTION: UTILITIES, PUBLIC WORKS, LEGAL, ADMINISTRATION, CLERK OF COUNCIL**
 - h. **[Removed from Consent] Purchase of Building and Lot for the Columbia Magistrate District Office Relocation.** Council gave approval to the purchase of 3875 Lucius Road, Columbia, SC as a County-owned facility, in the amount of \$546,750, plus closing costs, for the purpose of permanently housing the Columbia Magistrate District office. **ACTION: MAGISTRATE, CLERK OF COURT, BUILDING CODES AND INSPECTIONS, PLANNING, PROCUREMENT, FINANCE, ADMINISTRATION, INFORMATION TECHNOLOGY**
 - i. **Acceptance of Loan Assistance Funds for Construction of Allbene Park Water Distribution System.** Council gave approval to a resolution to accept loan assistance funds (\$349,025) from the State Revolving Fund (SRF) and to award a construction contract to the lowest bidder (Tom Brigman Contractors, Inc. in the amount of \$300,930.83 with a construction contingency not to exceed \$22,894) for the construction of the Allbene Park Water Distribution System. **ACTION: UTILITIES, FINANCE, CONSERVATION, PROCUREMENT, CLERK OF COUNCIL, ADMINISTRATION**
 - j. **Hospitality Tax Ordinance Distribution.** **ACTION: GRANTS, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
2. **Third Reading Items:**
- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter**

2, Administration; Article VII, Boards, Commissions and Committees; so as to abolish the Appearance Commission and to amend the Conservation Commission's responsibilities to include appearance. Council approved a substitute motion to defer third reading approval to the ordinance until the first reading of the budget on May 7, 2013. **ACTION: CONSERVATION, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**

3. Report of Administration and Finance Committee:

- a. **Policy on Use of Outside Legal Counsel.** Mr. Farrar provided an update to Council reaffirming the current policy and practice. The Committee recommended approval of the County Administrator's recommendation for inclusion of the provision that the policy can be overridden by the Council when in the best interest of the County, as suggested by the Legal Department. **ACTION: LEGAL, ADMINISTRATION, CLERK OF COUNCIL**

4. Report of Economic Development Committee:

- a. **Council create an ad hoc committee to study the procurement evaluation process [MANNING].** Council approved the Committee's recommendation to table the item.

5. Other Items:

- a. **Report of Caughman Pond/Pinewood Lake Ad Hoc Committee.** Jackson notified Council of a Meet-and-Greet event scheduled for March 23, 2013 from 10:00 a.m. to 1:00 p.m. Attendees can visit the site and are encouraged to offer input during the event. **ACTION: PUBLIC WORKS, PLANNING, CLERK OF COUNCIL, ADMINISTRATION**
- b. **Report of the Decker Center Ad Hoc Committee.** Manning provided an update to Council. Motion to approve the Committee's recommendation to proceed with negotiations with Brownstone was approved. Motion for reconsideration failed. **ACTION: ADMINISTRATION, FINANCE, PROCUREMENT, LEGAL, PUBLIC WORKS, SUPPORT SERVICES, INFORMATION TECHNOLOGY**
- c. **Report of the Joint Transportation Committee:**
 - i. **Criteria for Prioritization of Transportation Penny Projects.** Council forwarded this item to a Work Session. **ACTION: JOINT TRANSPORTATION COMMITTEE, CLERK OF COUNCIL, LEGAL, ADMINISTRATION**
 - ii. **Small, Local Business Enterprise Program.** A Motion was approved to discuss this item during a work session on March 26, 2013 at 4:00 p.m. **ACTION: JOINT TRANSPORTATION COMMITTEE, CLERK OF**

COUNCIL, LEGAL, ADMINISTRATION, PROCUREMENT

- iii. **Council Motion.** A motion was approved to discuss this item during a work session on March 26, 2013 at 4:00 p.m. **ACTION: JOINT TRANSPORTATION COMMITTEE, CLERK OF COUNCIL, LEGAL, ADMINISTRATION**
- iv. **Transportation Penny Advisory Committee (TPAC) Update.** A motion was approved to discuss this item during a work session on March 26, 2013 at 4:00 p.m. **ACTION: JOINT TRANSPORTATION COMMITTEE, CLERK OF COUNCIL, LEGAL, ADMINISTRATION**
- v. **TPAC Terms.** A Motion was approved to appoint the County's Committee members to the following terms of service:

Elise Bidwell – 5 years	Dorothy A. Sumter - 4 years
Derrick E. Huggins – 5 years	Natalie C. Britt – 3 years
Melvin Hayes Mizell – 4 years	Jennifer D. Bishop – 3 years
James T. McLawhorn – 4 years	

ACTION: JOINT TRANSPORTATION COMMITTEE, CLERK OF COUNCIL, ADMINISTRATION

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

7. **Executive Session:**

- a. **Land Development Code.** Staff is to proceed as discussed in Executive Session. **ACTION: LEGAL, ADMINISTRATION**
- b. **Singley vs. Norfolk Southern.** Deferred to the March 19, 2013 Council meeting for an update. **ACTION: CLERK OF COUNCIL, LEGAL**
- c. **Hospitality Bonds.** Discussed during the Attorney's Report for Executive Session Items section.
- d. **ASGDC Personnel Matter.** Received as information only.

8. **Motion Period:**

- a. **The East Richland County Public Service District is planning to replace 5.5 miles of 24-inch force main which has been in service for approximately 50 years. The 24-inch force main is at the end of its useful life, and the District proposes to replace it with 5.5 miles of 42-inch force main which will be adequate to serve the District for its anticipated service life of 30 years. Replacing the 24-inch force main would serve to protect the environment while serving the District's rate payers. The District is also**

planning to install an additional 2.5 miles of force main. The anticipated total cost of this project is \$24.5 million; however, the District's general obligation capacity permits it to finance up to \$10 million through the issuance of general obligation bond. I MOVE to authorize the East Richland County Public Service District to be permitted to issue up to \$10 million in general obligation bond funding for the purpose of replacing 8.0 miles of force main. Further details of this proposal will be made available to staff for review and discussion prior to Committee review. [PEARCE]. Council forwarded this item to the March A&F Committee. **ACTION: PUBLIC WORKS, UTILITIES, PLANNING, CONSERVATION, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**

- b. Under our present lease with Palmetto Health, a portion of the lease payment to Richland County has been earmarked to support indigent care programs in the county. The current distribution of these funds is as follows: \$100,000 to Richland Primary Care; \$100,000 to Eau Claire Health Cooperative; and \$50,000 to the Free Medical Clinic. Changes in Federal reimbursement to local primary care agencies has resulted in the closing of Richland Primary Care and the shifting to their patient load to the Eau Claire Health Cooperative. Due to the fact that Richland Primary Care is specifically mentioned in the lease agreement, transferring the funds to follow the patients cannot be accomplished without the lease agreement being modified on an action by Council. This Motion requests that Council initiate a change in the lease agreement to transfer these funds upon advice and counsel from the Legal Department. [PEARCE]. Council forwarded this item to the March A&F Committee. **ACTION: FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
- c. Under the terms of a 2004 Memorandum of Understanding (MOU) between Richland County and Palmetto Health, Palmetto Health is required to make an annual report to County Council as to the activities of the health care system. The MOU specifies that several levels of Board and Palmetto Health management personnel will personally appear before Council in public session to present this report. Due to Council rules limiting presentations to five (5) minutes, the ability to present any type of comprehensive report has been significantly compromised and, in my opinion, serves no useful purpose other than to fulfill the requirement of the MOU. Recognizing the need to keep County Council fully informed as to Palmetto Health activities, the fall luncheon meeting held in November or December for the past several years has been created to provide a forum for presentation of more detailed information and interactive dialog between Palmetto Health management and Council members. This Motion requests that Council consider eliminating the requirement for Palmetto Health to make a presentation during a Council meeting. Additional information regarding information sharing opportunities between Palmetto Health and County Council will be provided to the Committee. [PEARCE]. Council forwarded this item to the March D&S

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

9. Adjournment: Council adjourned at 7:46 p.m.