



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

**Council Actions Report
Regular Session Council Meeting
November 17, 2015
6:00PM**

Call to Order: Rush

Invocation: Washington

Pledge of Allegiance: Washington

Presentation of Proclamation

- a. **World AIDS Day Proclamation:** Councilmembers Rose, Dickerson and Manning presented a proclamation to representatives of Palmetto AIDS Life Support Services, proclaiming Tuesday, December 1, 2015 as World AIDS Day.

Approval of Minutes

- a. **Regular Session: November 3, 2015:** Approved as published.

Adoption of Agenda: Adopted as amended. The item, Determine if an act that amended Section 27-2-105, code of laws of South Carolina, 1976, approved in June 2014, is a violation of Home Rule, was added to the agenda as item 19b.

Report of the Attorney for Executive Sessions Items:

- a. **Sayad vs. Richland County - Pending Litigation**
- b. **State and Subrecipient Public Assistance Funding Agreement Severe Storm and Flooding (FEMA-4241-DR-SC) - Contractual Matter**

Citizen's Input: Four people spoke.

Report of the County Administrator:

- a. **Introduction of Employee:** Mr. McDonald introduced Liz McDonald to Council as the new County Assessor.

Mr. McDonald introduced Jeff Ruble to Council as the new Director of the County's Economic Development Office.



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

Report of the Clerk of Council:

- a. **Flood Strategic Planning Meeting – November 23, 2015:** Ms. McDaniels reminded Council of the flood strategic planning meeting on November 23, 2015.
- b. **December Meeting Dates: December 1, 8, 15:** Ms. McDaniels reminded Council of their Council meeting dates in December 2015.

Report of the Chairman:

- a. **Vulcan Materials Presentation:** Elliott Botzis, Vulcan Materials Company, provided a brief presentation to Council on the successes of the public / private partnership between Vulcan Materials and the County. Vulcan Materials pledged \$5,000 toward the County's Flood Recovery efforts.

1. Second Reading Items

- a. **An Ordinance Amending the Fiscal Year 2015-2016 Hospitality Tax Fund Annual Budget to appropriate \$75,000 of Hospitality Fund Balance to provide funding for Famously Hot New Year:** Council gave second reading approval to the budget amendment in the amount of \$75,000 to fund the Famously Hot New Year. The funding will come from the Hospitality Tax fund balance. **ACTION: ADMINISTRATION, FINANCE, GRANTS, LEGAL, CLERK OF COUNCIL**
- b. **Ordinance to Amend the agreement for designation of the I-77 Corridor Regional Industrial Park dated April 15, 2003 by and between Fairfield and Richland Counties so as to enlarge the park (Seibels Services Group, Inc.):** Council gave second reading approval to the ordinance amendment. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

2. Report of Development and Service Committee

- a. **Accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County inventory for ownership and maintenance:** Council approved the request to accept the roads and storm drainage “as-is” in Hunters Run Subdivision (Phase 1) into the County's inventory for ownership and maintenance, contingent upon the Bond on the Hunters Run Subdivision being satisfied. The vote to reconsider failed. **ACTION: PUBLIC WORKS, ADMINISTRATION, LEGAL**



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

3. Report of the Administration & Finance Committee

- a. **Creation of Three New CASA Caseworker Positions:** Council approved the funding of two (2) positions in CASA using funds available through an existing FY16 CASA training (SC Department of Social Services Title IV Funds) grant. The grant funds used to fund the two (2) positions will be replenished as part of the FY17 budget. The funding of a third position was referred to the FY17 budgetary process for consideration. The vote to reconsider failed. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, CASA, LEGAL, FINANCE, GRANTS**

4. Report of the Economic Development Committee

- a. **An Ordinance Authorizing the execution and delivery of an Infrastructure Credit Agreement by and between Richland County, South Carolina and 2 of 125 Richland County Council [Project VA] with respect to certain economic development property in the county, whereby such property will be subject to certain payments in lieu of taxes, and such company will receive certain infrastructure credits in respect of investment in related infrastructure; and other matters related thereto:** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **Economic Development Set Aside Grant from the SC Department of Commerce:** Council approved a \$50,000 Economic Development Set Aside Fund grant from the SC Department of Commerce. **ACTION: ECONOMIC DEVELOPMENT, FINANCE, ADMINISTRATION, GRANTS**
- c. **FY 16 State Appropriations Act for Richland County Economic Development:** Council approved a \$100,000 appropriation from the General Assembly to the Department of Commerce for FY16 for Richland County Economic Development. The vote to reconsider failed. **ACTION: ECONOMIC DEVELOPMENT, FINANCE, ADMINISTRATION, GRANTS**
- d. **Palmetto Health JEDA Bond Issuance:** Council deferred this item to the December 8, 2015 Council meeting. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, LEGAL, FINANCE**

5. Report of the Transportation Ad Hoc Committee

- a. **Bluff Road Widening Project, On-Call Engineering Team Service Agreement:** Council approved the service agreement for the Bluff Road Widening project in the



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

amount of \$1,386,766, which includes a 10% contingency. **ACTION:
TRANSPORTATION, FINANCE, PROCUREMENT, LEGAL**

- b. Atlas Road Widening Project, Executive Summary and Proposed Typical Section:** Council directed staff to move forward with the typical section for the Atlas Road Widening project. **ACTION: TRANSPORTATION**
- c. Bluff Road Widening Project, Executive Summary and Proposed Typical Section:** Council directed staff to move forward with the typical sections for the Bluff Road Widening project. **ACTION: TRANSPORTATION**
- d. Clemson Road Widening Project, Executive Summary and Proposed Typical Section:** Council directed staff to move forward with the typical section for the Clemson Road Widening project. **ACTION: TRANSPORTATION**

6. Citizen's Input: Two people spoke.

7. Other Items

- a. State and Subrecipient Public Assistance Funding Agreement Severe Storm and Flooding (FEMA-4241-DR-SC):** Executive Session item.
- b. Determine if an act that amended Section 27-2-105, code of laws of South Carolina, 1976, approved in June 2014, is a violation of Home Rule:** Council directed the County's Legal Department to request a legal opinion from the SC Attorney General's Office to determine if Act No. 262, which amended Section 27-2-105, Code of Laws of South Carolina, 1976, and was signed by the Governor on June 9, 2014, is a violation of the Home Rule. **ACTION: LEGAL, CLERK OF COUNCIL**

8. Executive Session:

- a. Sayad vs. Richland County - Pending Litigation:** Council directed the Legal Counsel to proceed as discussed in Executive Session. **ACTION: LEGAL, ADMINISTRATION**
- b. State and Subrecipient Public Assistance Funding Agreement Severe Storm and Flooding (FEMA-4241-DR-SC) - Contractual Matter:** Council approved to enter into the agreement as discussed in Executive Session. The vote to reconsider failed. **ACTION: LEGAL, ADMINISTRATION, FINANCE, CLERK OF COUNCIL**

9. Motion Period



RICHLAND COUNTY GOVERNMENT

Office of the County Administrator

- a. **Motion to increase the daily inmate per diem for applicable jurisdictions at 3 of 125 Richland County Council the Alvin S. Glenn Detention Center from \$25 / day to \$35 / day beginning July 1, 2016, and increasing \$10 each July 1 thereafter until reaching at least 95% of the current average daily cost per inmate. Once the rate has stabilized to reflect at least 95% of the actual daily costs, the per diem will automatically increase annually by the Consumer Price Index (CPI), as do other applicable Richland County taxes and fees. The current average daily cost per inmate is \$67.72. The current per diem provides only 37% of the daily cost, while increasing the per diem to \$35 in FY 17 would provide 52% of the daily cost. As a comparison, the County currently pays the City of Columbia a daily animal per diem of \$14 for animals housed at the animal shelter. [MALINOWSKI]: Council sent this item to the A&F Committee. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, DETENTION CENTER****

- b. **Amendment of setbacks for telecommunication towers: Section 26-152 (22) (c) (1) of the Richland County Land Development Code requires a minimum setback of one (1) foot for each foot of height of the tower when the tower abuts a residentially zoned parcel. Currently, the standards of this section do not take into consideration the fall zone of the tower. In lieu of 1:1 setbacks, I propose that the tower must be located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties and street right-of-ways. The standards of section 26-152 (c) shall require a letter from a licensed engineer that includes the engineer's original signature and seal certifying the fall zones are designed so as to prevent the encroachments. [RUSH] Council sent this item to the Ordinance Review Committee. **ACTION: ADMINISTRATION, CLERK OF COUNCIL****

- c. **In an attempt to stop this unethical behavior of certain council members leaking confidential information to the media and other sources I move that Richland County Council develop a policy to address these unethical behaviors. Executive session items, confidential items and FOIA requests must be handled by the proper channels. As for staff, any staff member caught misrepresenting the agency or the Administrator shall be fired immediately. As for council members misbehavior even though we have the Ethics Commission, Council should develop some rules. This is becoming a common practice and it damages the integrity of this body. [JACKSON]: Council sent this item to the County's Legal Department for review. The Legal Department will report back to the Rules & Appointments Committee. **ACTION: LEGAL, CLERK OF COUNCIL****

10. Adjournment: Council adjourned at 7:49PM.