

# **RICHLAND COUNTY GOVERNMENT**



## **Office of the County Administrator**

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

**April 6, 2010**

**6:00 PM**

**Call to Order:** Livingston

**Invocation:** Washington

**Pledge of Allegiance:** Washington

#### **Approval of Minutes**

**Regular Session: March 16, 2010:** The minutes were approved.

**Zoning Public Hearing: March 23, 2010:** The minutes were approved.

**Point of Personal Privilege:** Mr. Pearce congratulated Mrs. Dickerson on her photo in the most recent NACo newsletter.

**Adoption of the Agenda:** The agenda was adopted as published.

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

- a. **Columbia Venture Litigation Update:** Deferred
- b. **Vulcan Lease Agreement:** Deferred
- c. **Lower Richland Sewer Update**
- d. **Township Property**
- e. **Hospitality Tax Item**
- f. **Project McGuire:** Deferred

**Citizens' Input:** One person spoke.

## Report of the County Administrator

- a. **Community Development Stimulus Update:** Valeria Jackson, Director of Community Development, updated Council on the expenditure of stimulus funds.
- b. **National Community Development Week:** Valeria Jackson, Director of Community Development, updated Council on the events scheduled for National Community Development Week (April 4 – 10).
- c. **Township Property:** Executive Session item.
- d. **Lower Richland Sewer Update:** Executive Session item.
- e. **Whitaker Container Service Update:** Mr. Pope stated that the contract assignment has been completed.
- f. **Recognition of Certified Floodplain Managers:** Lisa Jones congratulated the 9 Richland County employees who are Certified Floodplain Managers.
- g. **Hospitality Tax Item:** Executive Session item.
- h. **Budget Update:** Mr. Pope stated that his budget recommendation to Council will occur on May 4, and that the budget team has completed the departmental meetings, and is finalizing the budget. He again reiterated that this will be a tremendously difficult budget year.
- i. **Neighborhood Planning Structure:** Sparty Hammett informed Council of the new structure of the neighborhood planning division. A new employee will be hired, giving each of the three employees three master plans each for project management.

**Report of the Clerk of Council:** No report.

**Report of the Chairman:** No report.

### 1. Public Hearings

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; “Business, Professional and Personal Services” of Table 26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; so as to allow “Bed and Breakfast Homes /**

**Inns” as a Permitted Use with Special Requirements in the RU Rural; OI Office and Institutional, NC Neighborhood Commercial, and GC General Commercial Zoning Districts; and to remove “Bed and Breakfast Homes / Inns” from the M-1 Zoning District:** No one spoke.

- b. **An Ordinance Authorizing a Utility Easement / Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS #25600-04-12:** No one spoke.

2. **Consent Items**

- a. [Removed from Consent] **An Ordinance Authorizing a lease to Vulcan Materials, Inc. for approximately 10 acres of land, which is a portion of Richland County TMS #06500-01-11 [Third Reading]:** Mrs. Dickerson presented a brief slide show of a tour that was taken of the Vulcan Quarry. This item was deferred until the April 20, 2010 Council Meeting. The lease agreement is requested to be included in the agenda. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
- b. [Removed from Consent] **An Ordinance Authorizing a Utility Easement / Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS #25600-04-12 [Second Reading]:** Council gave second reading to the ordinance, with an amendment to a supporting document. The amendment deleted the following, “An encroachment permit may be required. However, this permit will not be unreasonably withheld, and will be provided at no cost to the Grantor.” **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
- c. **10-04MA, Robert Davis, Richland County School District II, PDD to amended PDD (6.93 acres), TMS# 20400-01-17, Hardscrabble Road and Marchbank Parkway [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- d. [Removed from Consent] **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to Establish a District Entitled “CC Crane Creek Neighborhood District” [Second Reading]:** Council gave second reading to the ordinance, as amended. The amendments are as follows: In the Table of Permitted Uses, Group Homes (9 or Less) amended from P in CC-1, CC-2, and CC-3 to SR; Schools, Business, Computer and Management Training has been amended to reflect a P in CC-2; and these amendments are also reflected in the narrative (“1. Group homes (nine persons or less) – (CC-1, CC-2, CC-3)); and also in the narrative (“1. Group homes (nine persons or less). a. Use districts; Crane Creek – 1; Crane Creek – 2; Crane Creek – 3 b. Location approval is subject to Section 6-29-770 of the South

Carolina Code of Laws, as amended. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- e. **An Ordinance Amending Chapter 26, Land Development; Regarding Lighting Standards [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- f. [Removed from Consent] **Funding for Alternative Paving:** Council directed staff to obtain an Attorney General's opinion regarding for what purposes the Road Maintenance Fee can be used. **ACTION: ADMINISTRATION, LEGAL**
- g. [Removed from Consent] **Organizationally place County Assessor under County Administrator:** Council deferred this item to the April 20, 2010 Council Meeting. Further information from staff was requested. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
- h. **Removal of Parking Meters at County Administration Building:** Council voted to not remove the parking meters at the County Administration Building.
- i. [Removed from Consent] **Budget Amendment – Sheriff: Part-Time Employees [First Reading]:** Council gave first reading approval to the Sheriff Department's request in the amount of \$345,000 to amend the budget to cover part-time expenses. Further information from staff was requested. **ACTION: ADMINISTRATION, BUDGET, FINANCE, SHERIFF, LEGAL, CLERK OF COUNCIL**
- j. **Fair Housing Resolution:** Council approved the request for a Fair Housing Resolution for Fair Housing Month in April. The Resolution was presented to Patricia Greene. **ACTION: COMMUNITY DEVELOPMENT, CLERK OF COUNCIL**
- k. [Removed from Consent] **Provide assistance to the City of Forest Acres for Building Plan Review and Inspections:** Council amended the MOU and Agreement between Richland County and Forest Acres to reflect staff's recommendation that Forest Acres agrees that if the County's Board of Appeals decision is appealed, Forest Acres will be required to pay for outside counsel to defend any suit, and pay for the time required for county employees to testify. **ACTION: PLANNING, BUILDING INSPECTIONS, LEGAL**

**3. Second Reading Item**

- a. Ordinance to Amend Road Names and Addressing Requirements:** Council deferred this item to the April 20, 2010 Council Meeting.  
**ACTION: ADMINISTRATION, PLANNING, LEGAL, CLERK OF COUNCIL**

**4. Report of Administration and Finance Committee**

- a. Referendum on whether or not Richland County should adopt the Supervisor form of Government:** Council did not approve this item.

**Point of Personal Privilege:** Mr. Manning congratulated Stephany Snowden on her insight into recommending funding for the Sandhills Marathon.

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

- a. Notification of Vacancies**
- i. Employee Grievance Committee – 4: Suzie Haynes, Resigned; Deborah Jordan, May 15, 2010; Nelda Smyrl, Resigned; Llewlyn Walters, May 15, 2010]:** These vacancies are to be advertised in-house via the HR newsletter and PIO, contingent upon legal review regarding notification requirements. **ACTION: CLERK OF COUNCIL, LEGAL, HUMAN RESOURCES, PUBLIC INFORMATION**
- b. Notification of Appointments**
- i. Accommodations Tax Committee – 2 [No applications were received]:** Advertise. **ACTION: CLERK OF COUNCIL**
- ii. Appearance Commission, Horticulturist – 1 [Todd Beasley and James E. Stroizer] Strozier was appointed.** **ACTION: CLERK OF COUNCIL**
- iii. Board of Assessment Appeals – 1 [Eric John Grant]:** Grant was appointed. **ACTION: CLERK OF COUNCIL**
- iv. Employee Grievance Committee – 2 [No applications were received]:** These vacancies are to be advertised in-house via the HR newsletter and PIO, contingent upon legal review regarding notification requirements. **ACTION: CLERK OF COUNCIL, LEGAL, HUMAN RESOURCES, PUBLIC INFORMATION**

- v. **Internal Audit Committee – 2 [Pierre E. Brunahce and Eric John Grant]:** Advertise. **ACTION: CLERK OF COUNCIL**
- c. **Discussion from Rules and Appointments Committee**
  - i. **Planning Commission Ordinance and Motion to Restructure:** This item was deferred until after the City Elections, and discussions with the City regarding a joint Planning Commission. **ACTION: ADMINISTRATION**
- 6. **Central Midlands Development Corporation: Re-appointment of J. Milton Pope:** Mr. Pope was re-appointed to the Central Midlands Development Corporation. **ACTION: ADMINISTRATION**
- 7. **Citizens' Input:** No one spoke.
- 8. **Executive Session**
  - a. **Lower Richland Sewer Update:** Received as information.
  - b. **Township Property:** Received as information.
  - c. **Hospitality Tax Item:** Received as information.
- 9. **Motion Period**
  - a. **To make Richland County Council responsible for final decisions regarding zoning and road standards and remove this responsibility from the Development Review Team [Malinowski]:** Forwarded to the April D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
  - b. **To have Council and staff determine what Richland County's true priority investment areas should be and update the current land use plan by listing them [Malinowski]:** Forwarded to the April D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
  - c. **To request the Attorney General's opinion regarding the possibility of a conflict of interest as it relates to the methodology used to compensate voter registration appointees [Dickerson]:** Forwarded to the Rules & Appointments Committee. **ACTION: LEGAL, CLERK OF COUNCIL**
  - d. **A resolution acknowledging Richland County and South Carolina's HIV / AIDS Statistics [Livingston]:** Approved. **ACTION: CLERK OF COUNCIL**

- e. **Motion for referral to the A&F Committee: That Richland County Council provide funding in the FY 10 – 11 budget for the Midlands Housing Alliance, the amount to be determined based on a percentage of whatever the City of Columbia appropriates to support the program. Justification for this request will be forwarded to the A&F Committee prior to their meeting. [Pearce]: Forwarded to the April A&F Committee. ACTION: ADMINISTRATION**
- f. **Resolution recognizing Benedict College’s Anniversary [Kennedy]: Approved. ACTION: CLERK OF COUNCIL**
- g. **To suspend Council rules to add a Memorandum of Understanding among the property owners, the South Carolina Department of Transportation and Richland County to the April 20, 2010 Council agenda for action. This MOU is intended to reflect the understanding and intent of the parties regarding access to Lower Richland Boulevard and Garners Ferry Road in the development of certain residential and commercial facilities. [Manning]: Forwarded to the April D&S Committee. ACTION: ADMINISTRATION, PLANNING**
- h. **Direct staff to coordinate with DHEC and SCDOT a review of traffic signal timing improvements and synchronization in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all business and residential construction that would cause a slowdown of traffic on the road servicing that facility. [Malinowski]: Forwarded to the April D&S Committee. ACTION: ADMINISTRATION, PUBLIC WORKS**
- i. **Council will create a job performance plan for the Clerk of Council position to make that employee aware of the job requirements. This plan will be updated periodically but no later than every two years. The Clerk of Council will receive an annual appraisal to be completed by (set date) and all appraisals will be signed by the appraising council member. [Malinowski]: Forwarded to the April A&F Committee. ACTION: ADMINISTRATION**
- j. **I move that we direct staff to review the congestion management plan of the Midlands COG and incorporate those suggestions into the Transportation Plan for the referendum. [Hutchinson]: Forwarded to the Transportation Ad Hoc Committee. ACTION: ADMINISTRATION**
- k. **Resolution for Omega Psi Phi Fraternity, Inc. [Jeter]: Approved. ACTION: CLERK OF COUNCIL**

- l. Add an option to the referendum of a quarter of a penny sales tax for the bus only and reduce the two cents hospitality tax to one and three-quarters cents. This would keep the sales tax the same while eliminating the additional road maintenance fee of \$10 for cars and \$16 for commercial vehicles. An option for no new taxes while solving the bus problem. [Jackson]: Forwarded to the Transportation Ad Hoc Committee. ACTION: ADMINISTRATION**
  - m. Motion to give High priority ranking to all Local roads projects to include; resurfacing, widening, sidewalks and paving (using alternative and traditional paving methods) in the transportation penny sales tax referendum to all. [Washington]: Forwarded to the Transportation Ad Hoc Committee. ACTION: ADMINISTRATION**
  - n. Motion to use Pavement Quality Index PQI to prioritize all State and Local road resurfacing projects listed in the transportation penny sales tax referendum. [Washington]: Forwarded to the Transportation Ad Hoc Committee. ACTION: ADMINISTRATION**
  - o. Motion to give High priority ranking to sidewalks and bike lane projects for any road that is within a one mile radius of the following: school, recreational facility and churches. [Washington]: Forwarded to the Transportation Ad Hoc Committee. ACTION: ADMINISTRATION**
  - p. Palmetto AIDS Life Support Services of South Carolina, Inc. (PALSS) Resolution [Manning]: Approved. ACTION: CLERK OF COUNCIL**
  - q. To have the Administrator provide the necessary information to enter into Mutual Aid agreements for fire and EMS with all neighboring counties and municipalities we currently do not have one with, or why we should not do this [Malinowski]: Forwarded to the April A&F Committee. ACTION: ADMINISTRATION, EMERGENCY SERVICES**
  - r. To amend section 18-2, Loitering, specifically, Section 18-2(a)(9) by adding the italicized words Unlawfully use or possess an unlawful drug and/or paraphernalia for drug use to include pipes, bongs, holders, wrappers or any other items normally construed as being implemented during drug use [Malinowski]: Forwarded to the April D&S Committee. ACTION: ADMINISTRATION, LEGAL**
- 10. Adjournment:** Council adjourned at 8:50 p.m.