

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
November 6, 2007
6:00 PM**

Call to Order: McEachern

Invocation: McEachern

Pledge of Allegiance: McEachern / Boy Scouts

Richland 101 Graduation: The Fall 2007 graduates were recognized.

Presentation: Mr. Clark from the Boys and Girls Club gave an update on the organization, and informed Council that they had recently opened their 20th location.

Citizens' Input: No one spoke.

Adoption of the Agenda: The agenda was adopted as amended. Item 4g was added to the Consent agenda; Adjournment was added; and a Personnel Item was added under Executive Session.

Approval of Minutes

Regular Session: October 16, 2007

The minutes were approved as amended to include Mr. Malinowski's grammatical recommendations.

Zoning Public Hearing: October 23, 2007

The minutes were approved as submitted.

Report of the County Attorney for Executive Session Items

- a. **Contractual Matter: Riverside Contract**
- b. **Pending Litigation / Contractual Matter: TIF Update**
- c. **Contractual Matter: Farmers' Market Update**
- d. **Pending Litigation / Contractual Matter: NE Sanitary Landfill**
- e. **Personnel Matter: Internal Audit Committee**
- f. **Personnel Matter**

Report of the County Administrator

- a. **PIO Telly Award:** Mr. Pope recognized the Public Information Office for winning a bronze Telly Award.
- b. **Riverside Contract:** Discussed in Executive Session.
- c. **TIF Update:** Discussed in Executive Session.
- d. **Farmers' Market Update:** Discussed in Executive Session.
- e. **NE Sanitary Landfill:** Discussed in Executive Session.
- f. **Internal Audit Committee:** Discussed in Executive Session.
- g. **Personnel Matter:** Discussed in Executive Session.
- h. **Demolition of Mobile Homes:** Mr. Pope stated that Mr. Phipps' staff has begun the demolition of mobile homes on Percival Road, and that the activities had garnered positive public interest.

Report of the Clerk of Council:

- a. **IT Training:** Ms. Finch stated that training went well for the new agenda software, and that another session will be set up for those who weren't included in the first round of training. **ACTION: CLERK OF COUNCIL, INFORMATION TECHNOLOGY**
- b. **America Recycles Day:** Ms. Finch stated that America Recycles Day activities will be held on Saturday, November 17th. Keep the Midlands Beautiful and Richland County are sponsors of this event.
- c. **National Foundation for Women Legislators:** Ms. Finch recognized Council member Dickerson for being appointed as the State Director for the National Foundation for Women Legislators.
- d. **Holiday Schedule:** Ms. Finch asked Council for clarification regarding the meeting schedule for December. This item was discussed in the Motion Period.

Report of the Chairman:

- a. **Joint Planning Commission:** Mr. McEachern requested the Clerk to schedule a meeting with County and City Council to discuss a Joint Planning Commission. **ACTION: CLERK OF COUNCIL**
- b. **Business Summit:** Mr. McEachern requested the Clerk to organize a Business Summit. **ACTION: CLERK OF COUNCIL**

Open / Close Public Hearings: 1a, 1b, 1c. No one spoke.

Approval of Consent Items: The following consent items were approved: 1a, 1b, 1c, 2b, 2c, 2d, 2e, 3a, 3b, 3c, 3d, 4a, 4b, 4c. Items 2a, 4d, 4e, 4f, and 4g were removed from the consent agenda.

1. Third Reading Items

- a. **An Ordinance Establishing Policies and Procedures to be Followed in Connection with Conduit Financings [PUBLIC HEARING] [CONSENT]:** Council gave third reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
- b. **Ordinance Authorizing the Issuance of Not to Exceed \$5,000,000 General Obligation Bonds to be Used for the Following Purposes: Purchase of Land and Constructing a Public Safety Facility (\$1,600,000); Purchase of Vehicles for Use by the Sheriff's Department for Fiscal Year 2007 – 2008 (\$2,000,000); and for the Expansion of the City's Animal Shelter (\$1,400,000) [PUBLIC HEARING] [CONSENT]:** Council gave third reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, PROCUREMENT, SHERIFF'S DEPARTMENT, ANIMAL CARE, AUDITOR'S OFFICE, TREASURER'S OFFICE, INFORMATION TECHNOLOGY, CLERK OF COUNCIL**
- c. **Ordinance Authorizing the Issuance of Not to Exceed \$6,975,000 General Obligation Bonds, the Proceeds of Which Will Be Used for the Payment of the Outstanding Bond Anticipation Notes Including Accrued Interest and Issuance Costs for the Innovista Project [PUBLIC HEARING] [CONSENT]:** Council gave second reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, AUDITOR'S OFFICE, TREASURER'S OFFICE, CLERK OF COUNCIL**

2. Second Reading Items

- a. **07-52MA; Ashley Oaks Development; Mike Shelley (29.30 acres); M-1 to RS-LD; Single Family Residential; 17700-01-13; Wilson Boulevard & Farrow Road [CONSENT]:** This item was deferred. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **07-43MA; Oak Hills; PDD to Amended PDD; Golf Course with Mixed Use Development; 09600-02-13 & 09600-03-01, 02, 03; U.S. Highway 321 & Oak Hills Drive [CONSENT]:** Council gave second reading approval to the zoning map amendment changing the zoning designations from PDD to Amended PDD. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- c. **07-44MA; Garden Valley Subdivision; M-1 to PDD (7.33 acres); Single Family Residential; 22906-03-48 & 49; North Springs Road [CONSENT]:** Council gave second reading approval to the zoning map amendment changing the zoning designations from M-1 to PDD. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- d. **07-53MA; Church Properties, LLC; Viji Sashikant; NC to GC (.46 acres); Home Cleaning Service; 16415-07-03; 1518 Leesburg Road [CONSENT]:** Council gave second reading approval to the zoning map amendment changing the zoning designations from NC to GC. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- e. **07-56MA; Saluda Dam, LLC; Mark Richardson; HI to GC (20.68 acres); Residential Multi-Family Use; 07315-01-01 & 02; 4120 River Drive [CONSENT]:** Council gave second reading approval to the zoning map amendment changing the zoning designations from HI to GC. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

3. Report of the Development and Services Committee

- a. **Request from Aramark, LLC to permit soil and groundwater monitoring at Owens Downtown Airport [CONSENT]:** Council approved the request from Aramark, LLC for environmental monitoring, provided that any wells to be drilled at the airport must first be reviewed and approved by the Airport Manager and Department of Public Works. **ACTION: ADMINISTRATION, OWENS DOWNTOWN AIRPORT, PUBLIC WORKS**
- b. **Request to accept a conservation easement from Mr. John Eleazer for 62 acres of property in Northwest Richland County [CONSENT]:** Council accepted the conservation easement. **ACTION: SOIL AND WATER CONSERVATION DISTRICT; CONSERVATION COMMISSION; LEGAL, BUDGET, FINANCE**
- c. **A resolution in support of the Central Midlands Council of Governments conducting a Joint Land Use Study (JLUS) of Fort Jackson, McCrady Training Center, and McEntire Joint National Guard Base, in cooperation with the City of Columbia and other surrounding communities, as a means of sustaining the long-term viability of these installations and their military missions [CONSENT]:** Council approved the resolution in support of the JLUS, with funds coming from the county's grant-match account (no budget amendment required). **ACTION: ADMINISTRATION, PLANNING, LEGAL, BUDGET, FINANCE**

- d. **A resolution in support of the Midlands Area Joint Installations Consortium (MAJIC) [CONSENT]:** Council approved the resolution in support of MAJIC. **ACTION: ADMINISTRATION, PLANNING, LEGAL, BUDGET, FINANCE**

4. Report of the Administration and Finance Committee

- a. **Request to approve a contract for property insurance (\$262,069) [CONSENT]:** Council approved the contract. **ACTION: RISK MANAGEMENT, ADMINISTRATION, BUDGET, FINANCE, PROCUREMENT, LEGAL**
- b. **Request to negotiate and award a contract to Siemens for the development of an energy proficiency, solutions, development and implementation plan [CONSENT]:** Council authorized the Procurement Director to negotiate a contract; however, the contract must be brought back to council prior to being awarded. **ACTION: ADMINISTRATION, PROCUREMENT, BUDGET, FINANCE, LEGAL**
- c. **Request to negotiate and award a contract with First Vehicle Services for fleet maintenance and management services [CONSENT]:** Council approved the contract. **ACTION: ADMINISTRATION, PUBLIC WORKS, PROCUREMENT, BUDGET, FINANCE, LEGAL**
- d. **Amendments to an agreement between Richland County and the Historic Columbia Foundation for the management of the Woodrow Wilson Home and Hampton Preston Mansion [CONSENT]:** Council approved the agreement, subject to changes recommended by the Risk Manager, and contingent on the recording of deeds. **ACTION: ADMINISTRATION, RISK MANAGEMENT; BUDGET, FINANCE, LEGAL**
- e. **Ordinance amending the fiscal year 2007-08 budget ordinance to unappropriate undesignated hospitality tax funds in the budget ordinance to reflect a decrease in available funds [CONSENT]:** The ordinance failed. **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL**
- f. **An ordinance amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; and Section 23-71, Oversight and Accountability [CONSENT]:** Council gave first reading approval to the ordinance as amended. Columbia Museum of Art, Historic Columbia, and EdVenture Museum will continue to receive their funds quarterly, while

those organizations receiving funds via the County Promotions grants process will receive their funds annually. Also, with regards to Section 23 – 69, which states (d) Beginning in fiscal year 2007-2008 and continuing thereafter, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be increased based on the revenue growth rate as determined by trend analysis of the past three years, but in any event not more than 3%, Mr. Malinowski recommended an amendment as follows: (d) Beginning in fiscal year 2007-2008 and continuing thereafter, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be considered for an increased based on the revenue growth rate as determined by trend analysis of the past three years, but in any event not more than 3%. **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL**

- g. Sheriff Department: Request to approve a Financial Crimes Victims Assistance Program grant (Personnel required, no match) [CONSENT]:** Council tabled the item. **ACTION: SHERIFF'S DEPARTMENT, GRANTS, BUDGET, FINANCE, LEGAL, ADMINISTRATION**
 - h. SC State Military Department Funding Request [CONSENT]:** Council authorized a sponsorship in the amount of \$2,000 from the Administrator's operational funds. Mr. Jackson stated that he would contribute \$250 from his discretionary account, as did Mrs. Hutchinson. Other Council members are to let the Clerk know if they wish to contribute as well. **ACTION: ADMINISTRATION, BUDGET, FINANCE, CLERK OF COUNCIL**
- 5. Report of the Rules and Appointments Committee**
- a. Notification of Vacancies on Boards, Commissions, and Committees**

 - 1. Accommodations Tax Advisory Committee – 1:** This vacancy is to be advertised. **ACTION: CLERK OF COUNCIL**
 - 2. Internal Audit Committee – 1:** This vacancy is to be advertised. **ACTION: CLERK OF COUNCIL**
- 6. Report of the Economic Development Committee**
- a. Ordinance Authorizing Sale of Lot 10 in the Richland Northeast Industrial Park to "The Taylored Window LLC":** Council gave first reading to the ordinance authorizing the sale. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**

b. KIRCO

- 1. Ordinance to Include KIRCO Property in the I-77 Corridor Regional Industrial Park:** Council deferred the item to the November 20, 2007 Council meeting. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR'S OFFICE, BUDGET, FINANCE**
- 2. Infrastructure Credit Agreement:** Council deferred the item to the November 20, 2007 Council meeting. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, AUDITOR'S OFFICE**

c. Staples

- 1. Ordinance Authorizing Fee Agreement, Including Payment of a Fee-in-Lieu of Taxes:** Council gave first reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR'S OFFICE, BUDGET, FINANCE**
- 2. FILOT Agreement:** Council approved the Infrastructure Credit Agreement. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, AUDITOR'S OFFICE**

7. Approval of Resolutions to Appoint and Commission Code Enforcement Officers for the Proper Security, General Welfare, and Convenience of Richland County

- a. Marquis Leonard Gantt (Animal Care)**
- b. Thomas Pierce Paige (Animal Care)**
- c. Bradley Craig Rogers (Business Service Center)**

Council approved the resolutions for Mr. Gantt, Mr. Paige, and Mr. Rogers. **ACTION: ANIMAL CARE, BUSINESS SERVICE CENTER**

8. Citizens' Input: No one spoke.

9. Executive Session:

- a. Contractual Matter: Riverside Contract:** Received as information. Mr. Pope is to continue negotiations, with a goal for contract resolution by the end of November. **ACTION: ADMINISTRATION**
- b. Pending Litigation / Contractual Matter: TIF Update:** Council directed staff to engage in mediation with the City of Columbia on Friday,

November 9, 2007. The Chair is to appoint three Council members to attend the mediation on behalf of Council. **ACTION: ADMINISTRATION, LEGAL, FINANCE**

- c. **Contractual Matter: Farmers' Market Update:** Received as information.
- d. **Pending Litigation / Contractual Matter: NE Sanitary Landfill:** Received as information. The ad hoc committee is to continue working on this issue. **ACTION: LEGAL**
- e. **Personnel Matter: Internal Audit Committee:** Received as information. The Administrator will present recommendations to Council at a later date. **ACTION: ADMINISTRATION**
- f. **Personnel Matter:** Received as information.

10. Motion Period

- a. **Jackson:** Review Parsons Brinckerhoff Transportation Study Commission contract, with a focus on duplication of information. A report is to be given at the November 20, 2007 Council meeting. **ACTION: ADMINISTRATION, LEGAL, PROCUREMENT, BUDGET, FINANCE, PLANNING, PUBLIC WORKS**
- b. **Jackson:** Revisit and revise the makeup and distribution of the road maintenance fee. This item was sent to the D&S Committee. **ACTION: ADMINISTRATION, PUBLIC WORKS, BUDGET, FINANCE, LEGAL**
- c. **Jackson:** Requested information regarding an earlier motion made by Council member Dickerson regarding \$50,000 in hospitality tax funds for each council member. The Clerk of Council is to give a status report on this item at the next Council meeting. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, BUDGET, FINANCE**
- d. **Jeter:** Requested an update on an increase in Council's pay. Mr. Pope stated that this item would be discussed during the FY 09 budget process. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
- e. **Scott:** Directed staff to meet with the SC Department of Agriculture and the SC Budget and Control Board to begin the land transfer transaction with regards to the farmers' market property. Directed staff to meet with the Recreation Commission as it relates to this project and other recreational issues. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE**
- f. **Hutchinson:** Declared November 15th America Recycles Day. Also reminded everyone of the upcoming America Recycles Event to be held

on Saturday, November 17, 2007. **ACTION: ADMINISTRATION, PUBLIC WORKS**

- g. Jackson:** Requested the consideration of a golf course as a potential use for the previously proposed farmers' market property. Ms. Scott accepted this amendment as part of her motion. **ACTION: ADMINISTRATION, LEGAL**
 - h. McEachern:** Stated that there will not be Committee meetings in December, and that the Council meetings will be held on December 4th and 18th. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
 - i. Legislative Delegation:** Requested the Clerk arrange a meeting with the Legislative Delegation. **ACTION: CLERK OF COUNCIL**
- 11. Adjournment:** Council adjourned at 9:02 pm.