

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
March 3, 2009
6:00 PM**

Call to Order: Livingston

Invocation: Malinowski

Pledge of Allegiance: Malinowski

Citizens' Input: No one spoke.

Approval of Minutes

Regular Session: February 17, 2009: The CMRTA IGA item was removed. The remaining minutes were approved as submitted.

Zoning Public Hearing: February 24, 2009: Approved as submitted.

Adoption of Agenda: The agenda was adopted as amended. The FAA Grant (A&F Committee item) was added to the Consent agenda.

Report of the County Attorney for Executive Session Items

- a. **Jim Hamilton – L.B. Owens Airport Manager Update**
- b. **Lower Richland Property Purchase**
- c. **Northeast Landfill Settlement**
- d. **CMRTA Intergovernmental Agreement**
- e. **Watts vs. Richland County**

Report of the County Administrator

- a. **Jim Hamilton – L.B. Owens Airport Manager Update:** Mr. Pope stated that he had received an official response from the Columbia Metropolitan Airport stating that they didn't feel that the management of Jim Hamilton – L.B. Owens Airport was a good fit for their organization. Therefore, Mr. Pope will proceed with the creation and advertisement of the job description for the Airport Manager. This position will also be included in the FY 10 budget. **ACTION: ADMINISTRATION, HUMAN RESOURCES, BUDGET, FINANCE**
- b. **NACO Prescription Card Update:** Since inception (July 2006), 7,366 citizens have used the card for 26,604 prescriptions, saving a total of over \$300,000.
- c. **Foreclosure Map:** Valeria Jackson, Director of Community Development, shared a Foreclosure Map for 2008 with Council. She stated that no stimulus funds would go directly to homeowners, but that the funds (\$2.2 million for Richland County for Round One) would be used for neighborhood stabilization and consumer education. The funds are not for foreclosure prevention.
- d. **Strategic Plan Update:** On agenda.
- e. **CMRTA Intergovernmental Agreement:** On agenda.
- f. **State Budget Cuts Update:** Mr. Pope stated that he sent a letter via USPS and email to the entire Richland County Delegation on Friday. The General Assembly is currently working on an alternate plan that lessens our cut. Mr. Jeter has recommended a meeting between the Delegation and Council to discuss this matter.
- g. **American Dream Conference:** Ms. Snowden stated that the conference will take place Saturday, March 21 from 9am – 2pm.
- h. **Clerk of Court Audit:** Tom McNeesh (Elliott Davis) gave a report on the audit findings. No deviations or exceptions were found based on the testing performed.
- i. **Smoking Ban:** Mr. Pope stated that this item will be on the March A&F Committee agenda, and that staff is requesting further policy direction from Council. **ACTION: ADMINISTRATION, BUSINESS SERVICE CENTER**

Report of the Clerk of Council

- a. **Agenda Software Update:** Dale Welch provided Council with an update. He stated that IT is currently working with Council members in order to customize the agenda software to their preferences to make it as user friendly as possible.
- b. **City Year: Welcome Home Party, City Year Columbia HQ for Idealism, 1919 Hampton Street, March 4, 4:30 – 8:00pm**

Report of the Chairman

- a. Mr. Pearce reported on State Budget Cuts. He stated that the legislature is currently considering implementing a 30 cents tax on cigarettes, which will provide \$97 million in funding for the Medicaid Program, which will free up funds for the local government fund, thereby potentially lessening the cuts to local governments.

Public Hearing Items: 1b, 1c, 2a, 2b. No one spoke.

1. Approval of Consent Items

- a. **(Removed from Consent Agenda) 08-39MA; Martha Crawford; RU to OI (3 Acres); Child Care Facility; 17800-03-30 & 31; 1235 Trading Post Road [THIRD READING]:** This item was withdrawn. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **An Ordinance Authorizing a quit-claim deed to Community Assistance Provider, Inc., for a certain parcel of land on the south side of Sugar Hill [PUBLIC HEARING] [CONSENT] [THIRD READING]:** The ordinance received third reading. **ACTION: COMMUNITY DEVELOPMENT, LEGAL, CLERK OF COUNCIL**
- c. **Budget Amendment (\$84,877) to cover a deficit for overtime, part-time employment, and operating expenses in the Board of Voter Registration Department [PUBLIC HEARING] [THIRD READING]:** The ordinance received third reading. **ACTION: BOARD OF VOTER REGISTRATION, BUDGET, FINANCE, ADMINISTRATION, CLERK OF COUNCIL, LEGAL**
- d. **(Removed from Consent Agenda) An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in general; Section 16-19, Appeals; and Section 16-22, Penalties; so as to amend the appeals process [SECOND READING]:** The item received second reading with the following amendments: The time limits to bring an appeal were

approved as recommended by both the Council's legal Counsel and staff. The waiver of penalties was approved as recommended by both the Council's legal Counsel and staff. The reduction for like-kind exchanges was approved as amended for Automobile and Motor Vehicle Dealers; Farm Machinery Dealers; Motorcycle and ATV Dealers; and Boat and Personal Watercraft Dealers. Trade-in allowances for these businesses will be an allowed deduction rather than these monies being removed from gross income altogether, meaning that the businesses will still need to report all of its revenues, including trade-ins. The Gross Income and Fair Apportionment for Businesses Engaged in Interstate Commerce item was deferred since this item will be taken up during the budget process. The staff amendments for the authority of the Appeals Board were approved as recommended by the staff. **ACTION: ADMINISTRATION, BUSINESS SERVICE CENTER, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**

- e. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-171, General; so as to protect buffers, common areas, open space, recreation areas, and planted and/or vegetative areas on all approved plans [SECOND READING]:** The ordinance received second reading. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- f. **(Removed from Consent) An ordinance amending the Fiscal Year 2008 – 2009 Road Maintenance and Mass Transit Budget Ordinance, so as to reinstate the Mass Transit portion of the Road Maintenance fee and appropriate such increase in funds for Mass Transit [SECOND READING]:** The ordinance received second reading. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**

- g. **(Removed from Consent) An ordinance amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; so as to temporarily reduce the Hospitality Tax to one percent (1%) in the unincorporated areas of the County [SECOND READING]:** The ordinance received second reading. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**

- h. **An ordinance amending the Fiscal Year 2008 -2009 Conservation Commission budget to appropriate ninety-two thousand five hundred fifty eight dollars (\$92,558) to provide funding for operational expenses [FIRST READING]:** The ordinance received first reading. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**

- i. **(Removed from Consent) Request to approve the awarding of a construction services contract to Rea Contracting, LLC for the FY 2008 Resurfacing and full Depth Patching Project in the amount of \$820,440.74:** The construction services contract to Rea Contracting, LLC was approved. **ACTION: ADMINISTRATION, PUBLIC WORKS, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- j. **(Removed from Consent) 2007 Road Resurfacing Project:** The construction services contract to Sloan Construction Company, Inc. was approved. **ACTION: ADMINISTRATION, PUBLIC WORKS, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- k. **(Removed from Consent) Request to approve the awarding of a construction services contract to the most responsive bidder for completion of Phase I of the Lake Elizabeth capital improvement project:** The construction services contract to J.C. Wilkie Construction, LLC was approved. **ACTION: ADMINISTRATION, PUBLIC WORKS, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- l. **An Ordinance Amending the Fiscal Year 2008 -2009 Hopkins Utility System budget to appropriate thirteen thousand dollars (\$13,000) for operational costs through the end of the fiscal year [FIRST READING]:** Council gave first reading approval to the budget amendment. **ACTION: ADMINISTRATION, UTILITIES, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
- m. **Energy Audit Update:** Council adopted alternative #3, which would direct staff to continue the current plan for energy savings by utilizing the existing 10-year capital replacement plan. **ACTION: ADMINISTRATION**
- n. **Amendments to the December 17, 2008 settlement agreement between Richland County and Northeast Landfill, LLC:** Council directed settlement funds to a newly created non-profit community development organization, NextGen, which will serve in the vicinity of the Old McGraw Community in Council District 10. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE**
- o. **An Ordinance amending the Fiscal Year 2008-2009 Industrial Park Budget to Appropriate Fifty Thousand Dollars (\$50,000) for expenses related to economic development projects [FIRST READING]:** Council gave first reading approval to the budget amendment. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**

- p. **An ordinance repealing sections of the Richland County Code of Ordinances, Specifically the provisions of Article VII, entitled “Personnel Regulations,” of Chapter 2, entitled “Administration”** [FIRST READING]: Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, HUMAN RESOURCES, CLERK OF COUNCIL**
- q. **Request to approve the amended Employee Handbook and Human Resources Guidelines:** Council approved the documents. **ACTION: ADMINISTRATION, LEGAL, HUMAN RESOURCES, CLERK OF COUNCIL**
- r. **An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, In General** [DENIAL]: Council did not approve the ordinance.
- s. **Pioneer Bowl/Harambee Festival Funding Request [DENIAL]:** Council did not approve the funding request. **ACTION: CLERK OF COUNCIL**
- t. **FAA Grant (\$1.15 million) for runway rehabilitation at Hamilton-Owens Airport**
 - 1. **Acceptance of FAA Grant:** Council accepted the \$1.15 million grant from the FAA for runway rehabilitation at Hamilton-Owens Airport. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, HAMILTON-OWENS AIRPORT, CLERK OF COUNCIL**
 - 2. **An ordinance amending the Fiscal Year 2008-09 budget to appropriate one hundred fifteen thousand dollars (\$115,000) for design and engineering expenses related to the runway rehabilitation project at Hamilton-Owens Airport:** Council gave first reading approval to the budget ordinance. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, HAMILTON-OWENS AIRPORT, CLERK OF COUNCIL**

2. Third Reading Items

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 1, General Provisions, so as to add a new section regulating the naming of buildings [PUBLIC HEARING]:** The ordinance received third reading. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**

- b. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article I, in general; and Article II, Administration [PUBLIC HEARING] [CONSENT]:** The ordinance received third reading. **ACTION: BUILDING SERVICES, LEGAL, CLERK OF COUNCIL**
3. **Report of Development and Services Committee**
- a. **Request to purchase property in Lower Richland with Hospitality Tax funds for tourism-related activities:** Council deferred this item to the March 17, 2009 Council meeting. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, BUDGET, FINANCE**
4. **Report of Rules and Appointments Committee**
- a. **NOTIFICATION OF VACANCIES**
 - 1. **Historic Columbia Foundation – 1**
 - 2. **Internal Audit Committee – 1**
Council voted to advertise these vacancies. **ACTION: CLERK OF COUNCIL**
 - b. **Notifications of Appointments**
 - 1. **Accommodations Tax Committee–4;** Walters and Williams were appointed; Readvertise the other 2 vacancies. **ACTION: CLERK OF COUNCIL**
 - 2. **Airport Commission–1;** Cole was appointed. **ACTION: CLERK OF COUNCIL**
 - 3. **Board of Assessment Control-1;** McCloud was appointed. **ACTION: CLERK OF COUNCIL**
 - 4. **Employee Grievance Committee-2;** Etheredge was appointed; readvertise the other vacancy. **ACTION: CLERK OF COUNCIL**
 - 5. **Hospitality Tax Committee-2;** Green and Williams were appointed. **ACTION: CLERK OF COUNCIL**
 - 6. **Richland Memorial Hospital Board-1;** King was appointed. **ACTION: CLERK OF COUNCIL**

- c. **Rule Changes**
 - 1. **Electronic Participation:** Council approved the rule change. **ACTION: CLERK OF COUNCIL, LEGAL**

- d. **Discussion From Rules and Appointment Committee**
 - 1. **Review Composition of County Committees, Boards and Commission:** Held in Committee. **ACTION: CLERK OF COUNCIL**
 - 2. **Council Individual Discretionary Accounts:** Deferred to the March 17, 2009 Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**
 - 3. **Revised Application Form:** Deferred to the March 17, 2009 Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

- 5. **Reconsideration of CMRTA IGA:** Council deferred action on the Intergovernmental Agreement to the March 17, 2009 Council Meeting. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**

- 6. **Report of the Bond Review Committee**
 - a. **Financial Policies:** Approved as amended, incorporating Mr. Malinowski's non-substantive changes. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**

- 7. **Strategic Plan:** Council approved the plan as amended. **ACTION: ADMINISTRATION**

- 8. **Citizen's Input:** No one spoke.

- 9. **Executive Session**
 - a. **Watts vs. RC:** Council directed the Administrator and Legal staff to proceed with the settlement as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**

- 10. **Motion Period**
 - a. **Local Government Fund Meeting with the Delegation:** Council directed the Clerk to contact Representative Rutherford regarding setting up a meeting with Council. **ACTION: CLERK OF COUNCIL**

- b. David Warren:** Mr. Pearce made a motion for a resolution honoring David Warren, Executive Director of the Richland County Public Library, who is retiring April 1, 2009. **ACTION: CLERK OF COUNCIL**
 - c. Resolution:** Mrs. Smith made a motion for a resolution to support state legislation to allow local governments to exempt non-prepared food from any future local option sales tax. The resolution is to be distributed to Council after it is drafted. **ACTION: CLERK OF COUNCIL**
- 11. Adjournment:** Council adjourned at 8:52pm.