

**RICHLAND COUNTY GOVERNMENT**



**Office of the County Administrator**

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

**March 17, 2009**

**6:00 PM**

**Call to Order:** Livingston

**Invocation:** Jackson

**Pledge of Allegiance:** Jackson

**Presentation of Resolution:**

- a. **Spring Valley Baptist Church Resolution:** Ms. Hutchinson presented representatives with the resolution.

**Presentations:**

- a. **Miriam Atria, President/CEO, Capital City Lake Murray Country:** Ms. Atria informed Council of the Tourism Industry Award.
- b. **Palmetto Health Annual Report:** Dr. Jim Reynolds and Chuck Beaman gave the annual report.

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

**Approval of Minutes**

**Regular Session: March 3, 2009:** Approved as amended.

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

**Report of the County Attorney for Executive Session Items**

- a. **CMRTA Intergovernmental Agreement**
- b. **Employee Grievance**

- c. **Request to Purchase Property in Lower Richland with \$2.8 million from the Hospitality Tax fund balance for tourism-related activities**

**Report of the County Administrator**

- a. **Rowing Club MOU:** Mr. Pope stated that a meeting between Mr. Livingston and Mr. Malinowski would be scheduled to discuss Mr. Malinowski's concerns. **ACTION: ADMINISTRATION**
- b. **CMRTA IGA:** This item is on the agenda. Specific questions could be addressed in Executive Session, if applicable.
- c. **Comprehensive Plan Meetings Update:** Sparty Hammett gave an update on the forthcoming public outreach meetings, as well as a proposed timeline for adoption of the plan.
- d. **American Dream Conference Reminder: Saturday, March 21<sup>st</sup>, 9am – 2pm:** Mr. Pope reminded Council of the event.
- e. **State Budget Cuts Update:** Mr. Pope stated that potential cuts for the FY 10 budget equate to around \$3,328,000, or over 2 mils of tax.
- f. **CASA Quarterbacks Event: Mac's on Main, April 2<sup>nd</sup>, 5 – 7pm; CEO of National CASA will be present:** Mr. Pope reminded Council of the event.
- g. **DHEC Recycling Awards held on March 3, 2009:** Stephany Snowden stated that our Solid Waste Division had received this award, and would be formally recognized at a Council meeting in April. **ACTION: PUBLIC INFORMATION, CLERK OF COUNCIL**
- h. **Employee Grievance:** To be discussed in Executive Session.
- i. **Animal Shelter Opening:** Mr. Pope invited Council to attend the opening, which will be Friday, April 3, 2009, 11:00am.
- j. **Stormwater Update:** Several changes were made to the stormwater ordinance by County Council at the Zoning Public Hearing, which was held on February 24, 2009. The entire buffer language was re-written to incorporate the substance of Lexington County's buffer language. However, County Council adopted buffer widths of 85 feet along perennial streams and 40 feet along intermittent streams. In addition, exemptions were expanded to include (1) entitlement language, and (2) single-family parcels of land that are 2 acres or less. A list of recommended native plants was included under the buffer restoration and enhancements plan subsection in an attempt to incorporate Lexington

County design requirements. This ordinance received first reading by County Council on October 21, 2008. It had a public hearing on February 28, 2009, and received second reading (as amended) at that time. County Council plans to hold a second public hearing prior to giving the ordinance third reading.

The following recommendations were offered:

1. Extend the review period until October 2009.
2. Maintain the existing Development Review Round Table and create a parallel process to accept comments and concerns. The amended draft will be posted on the County website, and all comments will be collected and forwarded to the Development Round Table by May 19, 2009.
3. The County would draft a letter to DHEC explaining and addressing the reasons for an extended review process to hopefully prevent any adverse actions regarding Richland County.

- k. **Bagging of Leaves:** Mr. McDonald stated that this item will be on the April 7, 2009 Council agenda for action. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, PLANNING, PUBLIC WORKS**
- l. **Waste Management:** Mr. Pope informed Council that Waste Management has applied to DHEC for a lateral expansion. The Public Information Session will be held at 5:30pm on April 15 in Council Chambers.

#### **Report of the Clerk of Council**

- a. **Columbia Area Mental Health Orientation for New Council Members:** Discussed in Motion Period.
- b. **Richland Memorial Hospital Board Orientation for New Council Members, March 18<sup>th</sup>, 11am – 1pm, Palmetto Richland Hospital, Bagnal Room**

#### **Report of the Chairman**

- a. **Washington DC Update:** Mr. Livingston gave a brief update on the trip to Washing DC with Mr. Jackson, Ms. Kennedy, Mr. Jeter, and Mr. Washington.
- b. **Stimulus Ad Hoc Committee:** Discussed in Motion Period.

**Public Hearing Items:** 2a, 2b, 2c. Eleven people spoke regarding the Mass Transit item.

**1. Approval of Consent Items**

- a. **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 [THIRD READING]:** Council gave third reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **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 [SECOND READING]:** The ordinance received second reading. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**
- c. **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 [SECOND READING]:** Council gave second reading approval to the budget amendment. **ACTION: ADMINISTRATION, UTILITIES, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
- d. **(Removed from Consent) 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 [SECOND READING]:** Council gave second reading approval to the amended budget amendment amount of \$75,000. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
- e. **(Removed from Consent) 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” [SECOND READING]:** This item was deferred. **ACTION: ADMINISTRATION, LEGAL, HUMAN RESOURCES, CLERK OF COUNCIL**
- f. **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 [SECOND READING]:** Council

gave second 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 16 and Miscellaneous Business Regulations; Article I, in general; Section 5 and Section 7, to authorize motor vehicle trade-ins as an allowable deduction; Section 16-19 Appeals; and Section 16-22, Penalties; so as to amend the appeals process and to allow the waiver of penalties in certain limited circumstances [PUBLIC HEARING]:** This item was deferred. A legal opinion was requested for “separate and distinct.” **ACTION: ADMINISTRATION, BUSINESS SERVICE CENTER, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**
- b. 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 [PUBLIC HEARING]:** The ordinance received third reading and the intergovernmental was adopted by resolution. Approval of both the ordinance and the IGA is contingent upon the City’s approval of the IGA as recommended by the County. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, AUDITOR, TREASURER**
- c. 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 [PUBLIC HEARING]:** The ordinance received third reading. The item was reconsidered, and the vote was clinched. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, BUSINESS SERVICE CENTER, TREASURER**

## **3. Report of Development and Services Committee**

- a. Request to purchase property in Lower Richland with \$2.8 million from the Hospitality Tax fund balance for tourism-related activities:** Mr. Washington’s motion, to send this item back to committee, take the existing study and come up with a usage for the identified property, passed. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, BUDGET, FINANCE**

4. **Report of Economic Development Committee**
  - a. **Economic Development Strategic Plan Work Session:** Mr. Pearce gave an update on the Strategic Plan. The final document will be presented to Council in an upcoming work session, to be scheduled during the month of April. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
  
5. **Report of Rules and Appointments Committee**
  - a. **Notifications of Appointments**
    1. **Employee Grievance Committee – 1:** Readvertise
    2. **Historic Columbia Foundation – 1:** Readvertise
    3. **Hospitality Tax Committee – 3:** Leidinger and Sims were appointed. The other vacant position is to be readvertised.
  - b. **Items Requiring Action:** The following items were deferred to the April 7 meeting. **ACTION: CLERK OF COUNCIL**
    1. **Review Composition of County Committees, Boards, and Commissions**
    2. **Council Individual Discretionary Accounts**
    3. **Revised Application Form**
  
6. **Rowing Club MOU:** This item was deferred. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
  
7. **Citizen’s Input:** No one spoke.
  
8. **Executive Session**
  - a. **Employee Grievance:** Council voted to uphold the Administrator’s recommendation of referring the item back to the Employee Grievance Committee for a full hearing. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
  
9. **Motion Period**
  - a. **To Have Chairman Livingston appoint a Legislative Stimulus Ad Hoc Committee. The initial purpose of the committee is to establish legislative platform / priorities to be used at the federal, state, and local levels of government [JETER] ACTION: ADMINISTRATION**

- b. **A Resolution honoring the First NE Baptist Church for their contributions to the community and celebrating their 20<sup>th</sup> Anniversary [HUTCHINSON] ACTION: CLERK OF COUNCIL**
  - c. **A motion to set up a steering committee of public officials and private citizens to help guide the development of the NE Regional Recreation Complex and seek public / private partnerships [HUTCHINSON] Referred to the D&S Committee. ACTION: ADMINISTRATION**
  - d. **A motion to address Mr. Fred Monk, President Earlewood Neighborhood Organization, request to return the fountain in front of the Township Auditorium back to Earlewood. The Township will remove the fountain when they start renovations in June and do not plan to use it. The Township has no objection to returning the fountain. [LIVINGSTON]: This item was approved. ACTION: ADMINISTRATION**
  - e. **A resolution honoring the Lower Richland Girls Basketball Team for their 4peat all state championship. [JACKSON] ACTION: CLERK OF COUNCIL**
  - f. **Columbia Area Mental health Orientation:** Mr. Pearce will take Mr. Manning and Mr. Washington with him to the next Board meeting.
  - g. **Spring Valley Resolution:** Resolution honoring the Spring Valley Girls' Basketball Team for their State Championship. [HUTCHINSON] **ACTION: CLERK OF COUNCIL**
  - h. **Columbia High School Resolution:** Resolution honoring Columbia High School for the Palmetto Gold & Silver Awards. [DICKERSON] **ACTION: CLERK OF COUNCIL**
  - i. **Stormwater:** The external stormwater review process (entire recommendation, process for input, etc.) has been extended to October 2009. [MALINOWSKI] **ACTION: ADMINISTRATION, PLANNING, PUBLIC WORKS**
  - j. **Infrastructure Costs:** Any expenses incurred by Richland County for infrastructure due to development in incorporated areas will be billed to and paid for by the incorporated area creating the expense. This item was forwarded to the D&S Committee. [MALINOWSKI] **ACTION: ADMINISTRATION, PLANNING, PUBLIC WORKS**
10. **Adjournment:** Council adjourned at 9:27 pm.