

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

July 7, 2009

6:00 PM

Call to Order: Livingston

Invocation: Hutchinson

Pledge of Allegiance: Hutchinson

Citizens' Input: No one spoke.

Approval of Minutes

Regular Session: June 16, 2009: Approved as presented.

Zoning Public Hearing: June 23, 2009: Approved as presented.

Adoption of Agenda: The agenda was adopted as amended. Project Charleston was corrected to read "Project Olive." A Budget Amendment was added to the agenda for Executive Session and first reading by title only. An Employee Grievance was added under the Report of the County Administrator, as was a presentation by the Convention and Visitors Bureau.

Report of the County Attorney for Executive Session Items

- a. **BRWWTP Change Order**
- b. **Farmers' Market Update**
- c. **Fire Contract**
- d. **Purchase of Property / Township**
- e. **Project Olive**
- f. **School District II – Legal Briefing**

- g. **Employee Grievance**
- h. **Budget Amendment – Personnel Matter**

Report of the County Administrator

- a. **Presentation: Convention and Visitors Bureau:** Employees of the CVB updated Council on their 2009 Summer Marketing Campaign.
- b. **Employee Recognition – George Rice:** Mr. Pope recognized Mr. Rice for his participation in the National EMS Memorial Bike Ride, Inc., which honors Emergency Medical Services personnel by organizing and implementing long distance cycling events that memorialize and celebrate the lives of those who serve everyday, those who have become sick or injured while performing their duties, and those who have died in the line of duty. Mr. Rice, who rode to recognize all EMS workers in South Carolina who died in the past year, rode 550 miles for the event.
- c. **BRWWTP Change Order:** Executive Session item.
- d. **Farmers’ Market Update:** Executive Session item.
- e. **Fire Contract Update:** Mr. Pope informed Council that he has received an executed extension agreement from the City, and that staff is pursuing an assessment of the system, and will provide information to Council when completed. **ACTION: ADMINISTRATION, EMERGENCY SERVICES, LEGAL, BUDGET, FINANCE**
- f. **Purchase of Property / Township:** Mr. Pope stated that negotiations are proceeding, and a report will be brought to Council when available. **ACTION: ADMINISTRATION**
- g. **New Hires:** Mr. McDonald introduced the new Airport Manager, Joshua Houston, and Mr. Hammett introduced the new Public Works Director, David Hoops.
- h. **Employee Grievance:** Council upheld the Administrator’s recommendation. **ACTION: ADMINISTRATION, HUMAN RESOURCES**
- i. **Wrap-up Meetings in July:** Discussed under the Chairman’s Report.
- j. **NaCO Achievement Awards:** Ms. Snowden informed Council of the five NaCO Achievement Awards that the County received.

Report of the Clerk of Council:

- a. **SCAC Conference:** Ms. Finch informed Council that the SCAC Conference will take place July 28 – August 2 at Hilton Head.

Report of the Chairman:

- a. **Special Called Meetings:** Forwarded to the Motion Period.

1. Approval of Consent Items

- a. **Case #09-06MA; Ted Hart; RS-LD to NC (.41 Acres); 09504-04-04; Dakota Street [SECOND READING]:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **Case #09-07MA; Duane Warr; RU/RS-MD to NC (.52 Acres); 19604-04-13 & 49; 1509 & 1531 Percival Road [SECOND READING]:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- c. **Case #09-08MA; Michael Young; American's Home Place Inc.; RU to RS-E (2.81 Acres); 17400-12-02 & 03; Killian Loop [SECOND READING]:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- d. **Case #09-09MA; Glen Welsford; RS-MD to GC (.03 Acres); 13809-04-12(p); 4108 Rosewood Drive [SECOND READING]:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- e. **Section 26-175, Access; and creating a new article; so as to address transportation issues within the County [SECOND READING]:** Council gave second reading approval, as amended, to the ordinance. **ACTION: PLANNING, PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**
- f. **Section 26-152, Special Exceptions; Subsection (D), Standards; Paragraph (22), Radio, Television and Telecommunications and Other Transmitting Towers; Subparagraph C; so as to clarify setback requirements [SECOND READING]:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, INFORMATION TECHNOLOGY, LEGAL, CLERK OF COUNCIL**
- g. **Request to accept a conservation easement donation from Mr. George Delk, representing BDH Properties, LLC, for 20 acres in the Lower**

Richland Community: Council amended Section 5 of the agreement (removing language in reference to single-family residential purposes) and approved the conservation easement as amended. **ACTION: PLANNING, CONSERVATION COMMISSION, BUDGET, FINANCE**

- i. Request to accept a conservation easement donation from Mr. James Mullis for 73 acres in the Twenty-Five Mile Creek Watershed in Northeast Richland County:** Council amended the agreement (to specify ½ acre for each new construction) and approved the conservation easement as amended. **ACTION: PLANNING, CONSERVATION COMMISSION, BUDGET, FINANCE**
- j. Request to adopt a conservation watershed proposal from the Pebble Creek Community for volunteer land easements in the Pebble Creek Watershed Conservation Area in Northwest Richland County:** Council adopted the conservation watershed proposal for volunteer land easements. **ACTION: PLANNING, CONSERVATION COMMISSION, PUBLIC WORKS, STORMWATER**
- k. Request to accept 3 acres of conservation property in the Broad River Watershed as a fee simple title donation from Mr. Scott Baker:** Council approved the conservation easement. **ACTION: PLANNING, CONSERVATION COMMISSION, BUDGET, FINANCE**
- l. Request to authorize the County Administrator to negotiate and enter into a lease agreement with Hansel Carter for the use of property located at 10531 Garners Ferry Road for the Lower Richland Drop Off Facility:** Council authorized the administrator to negotiate and enter into a five-year lease for the property. **ACTION: ADMINISTRATION, LEGAL, PUBLIC WORKS, SOLID WASTE, BUDGET, FINANCE**
- m. Request to authorize the Procurement Department to award and enter into a contract with ASI for the transportation of C&D waste materials and other items collected at the Lower Richland Drop Off Site to an approved C&D facility:** Council approved the request to negotiate and award a contract to ASI. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, PUBLIC WORKS, SOLID WASTE, BUDGET, FINANCE**
- n. An ordinance amending the Richland County Code of Ordinances, Chapter 6, Buildings and building regulations; Article III, Building Codes, Section 6-82 (A); so as to adopt the 2006 Edition of the International Residential Code:** Council gave first reading approval to the ordinance. **ACTION: PLANNING, BUILDING INSPECTIONS, LEGAL, CLERK OF COUNCIL**

- o. Council Motion (Jackson): An ordinance amending the Richland County Code of Ordinances; Chapter 26, Land development; Section 26-54, Subdivision review and approval; so as to require that the delineation of any and/or all flood lines on plats that are submitted pursuant to this section; and to amend section 26-105, FP Floodplain Overlay District; Subsection (B), Applicability/Establishment; so as to delete specific reference to areas along the Congaree River:** Council gave first reading approval to the ordinance and referred it to the planning commission for review. The item will receive a public hearing at the Zoning Public Hearing on September 22, 2009. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, PUBLIC WORKS, STORMWATER**
- p. Request to authorize staff to negotiate a contract with the M.B. Kahn Team for the final design, development, financing, construction, and potential management / operations of the proposed Richland County Recreation / Entertainment Complex:** Council authorized staff to negotiate a contract with the M.B. Kahn Team. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- q. Council Motion (Jackson): A resolution to support the naming of a bridge that crosses Cabin Creek along Clarkson Road as the Candacy-Darcel Sanders Crossing Bridge:** Council adopted the resolution in support of naming the bridge in honor of the Sanders sisters. **ACTION: CLERK OF COUNCIL**
- r. Council Motion (Manning): An ordinance to amend the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-6, Smoking of tobacco products; In order to establish regulations and requirements relating to designated smoking areas:** Council gave first reading approval to the ordinance. Amendments are to be made before second reading regarding staff's recommendations in the Committee report. **ACTION: ADMINISTRATION, PLANNING, BUILDING INSPECTIONS, LEGAL, CLERK OF COUNCIL, BUSINESS SERVICE CENTER**
- s. Request to approve a contract with Iron Mountain, Inc. for records storage and management services:** Council approved the contract renewal with Iron Mountain. **ACTION: PROCUREMENT, ADMINISTRATION, LEGAL, REGISTER OF DEEDS, BUDGET, FINANCE**
- t. Request to approve a contract with FleetCor Technologies to provide and maintain the County's Fleet Fuel Card program for the purchase of gasoline, diesel and other designated fuels:** Council approved the

contract with FleetCor. Mr. Malinowski requested the contract amount.
ACTION: PROCUREMENT, LEGAL, PUBLIC WORKS, FLEET SERVICES, INFORMATION TECHNOLOGY, BUDGET, FINANCE

- u. **Request to award a contract to the Dennis Corporation for construction management services related to the renovation and construction at the Township Auditorium:** Council approved the contract with the Dennis Corporation. **ACTION: PROCUREMENT, LEGAL, ADMINISTRATION, BUDGET, FINANCE**
 - v. **A resolution to reaffirm the Richland County Emergency Planning Zone (EPZ) for two new power plants to be built at the V.C. Summer Nuclear Station in Fairfield County:** Council adopted the resolution. **ACTION: CLERK OF COUNCIL**
 - w. **An ordinance authorizing the issuance and sale of not to exceed \$9,000,000 General Obligation Bonds, Series 2009A, or such other appropriate series designation, of Richland County, South Carolina; Authorizing the bonds to be issued as Build America Bonds, if appropriate; Fixing the form and details of the bonds; Delegating the County Administrator certain authority related to the bonds; Providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto:** Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
 - x. **A resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$150,000,000 Hospital Refunding and Improvement Revenue Bonds, in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended:** Council voted to authorize a public hearing, as required by statute, on July 21st, and to approve the resolution after the public hearing. **ACTION: CLERK OF COUNCIL, BUDGET, FINANCE, LEGAL, ADMINISTRATION**
 - y. **Purchase offer for property owned by Richland County [RECOMMENDATION TO DENY]:** Council deferred this item to the July 21, 2009 meeting, so as to allow time for Council Members to meet with the interested party. **ACTION: ADMINISTRATION**
2. **Second Reading Item**
- a. **Section 26-180, Signs; so as to create a new section that would allow off-premise weekend directional signs under certain conditions:**

Council gave second reading approval to the ordinance. **ACTION: CLERK OF COUNCIL, BUDGET, FINANCE, LEGAL, PLANNING, PUBLIC WORKS**

3. Report of Administration and Finance Committee

a. Request to consider salary adjustments and amendments to existing county policies and procedures for the following elected and appointed positions:

- 1. Columbia Magistrate:** Deferred to the July 21, 2009 Council meeting.
- 2. Treasurer:** An HR Specialist is to compare the Treasurer's duties with other Treasurers and Tax Collectors in the State. **ACTION: ADMINISTRATION, HUMAN RESOURCES**
- 3. Board of Voter Registration:** Council gave first reading approval to an ordinance treating Voter Registration employees (who are appointed) similarly to Elected Officials, in that they will receive an annual CPI increase, as well as a reappointment increase to mirror the concept of elected officials' five percent re-election increase. Further, staff is to perform position assessments via HR Specialist. In addition to these position assessments, the Assessor's position and Election Commission Director's position are also being reviewed. **ACTION: ADMINISTRATION, HUMAN RESOURCES, LEGAL**

4. Report of Economic Development Committee

- a. An ordinance authorizing the execution and delivery of a fee agreement between Richland County and Unum Group-, a corporation organized and existing under the laws of the State of Delaware; Colonial Life & Accident Insurance Company, a corporation organized and existing under the laws of the State of South Carolina; and Unum Life Insurance Company of America, a corporation organized and existing under the laws of the State of Maine concerning a new project; authorizing and providing with respect to an existing project for the conversion of an arrangement for fee-in-lieu of tax payments between Richland County and the companies under Title 4, Chapter 12, South Carolina Code of Laws, 1976, as amended to an arrangement under Title 12, Chapter 44, South Carolina Code of Laws, 1976, as amended; and matters relating thereto:** Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, ASSESSOR, AUDITOR, TREASURER**

- b. **[EXECUTIVE SESSION] An ordinance authorizing the execution and delivery of an agreement to provide for the modification and termination of certain incentive arrangements between Richland County and Project Olive and one or more affiliated entities; and related matters:** Council gave first reading approval by title only to the ordinance and associated agreements, and authorized the County Administrator to sign off on the term sheet. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, ASSESSOR, AUDITOR, TREASURER**
5. **Report of the Rules and Appointments Committee**
- a. **Notification of Vacancies**
 - 1. **Richland County / City of Columbia Animal Care Advisory Committee – 1:** No action. Will be placed as an action item on the next Rules and Appointments Committee Agenda, as well as the next Council agenda. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
 - b. **Notification of Appointments**
 - 1. **Internal Audit Committee – 1:** No action. Readvertise. **ACTION: CLERK OF COUNCIL**
 - 2. **Planning Commission – 1:** Deferred to the July 21, 2009 meeting. **ACTION: CLERK OF COUNCIL**
 - c. **Discussion from Rules and Appointments Committee**
 - 1. **Employee Grievance Committee Guidelines / Procedures:** Kept in Committee. The Chair of the Employee Grievance Committee will be invited to attend the next Rules and Appointments Committee to voice the needs of the Committee. **ACTION: CLERK OF COUNCIL**
6. **Council Motion (Jackson, Malinowski, Kennedy): To remove from the D&S Committee and present to full Council the funding of Alternate Paving with \$2 million from the Road Maintenance Fee and \$1 million from the CTC bond to fund paving roads in three years max (starting in 2009):** This item was deferred to the July 21, 2009 Council meeting so that Council member Washington (and others as desired) may meet with Staff to review the information. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, PUBLIC WORKS, BUDGET, FINANCE**

7. **Broad River Waste Water Treatment Plant Change Order:** No action. This item will be on the July 21, 2009 Council agenda for action. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, PUBLIC WORKS, UTILITIES, BUDGET, FINANCE, PROCUREMENT**
8. **Report of Stimulus Ad Hoc Committee:** Mr. Cronin gave a brief update to Council. A report will be presented at the July 21, 2009 Council meeting. No action was taken. **ACTION: ADMINISTRATION**
9. **Citizens' Input:** No one spoke.
10. **Executive Session:**
 - a. **BRWWTP Change Order:** Received as information.
 - b. **Farmers' Market Update:** Received as information.
 - c. **Fire Contract:** Not discussed in Executive Session.
 - d. **Purchase of Property / Township:** Not discussed in Executive Session.
 - e. **Project Olive:** After receiving information in Executive Session, Council gave first reading approval by title only to the ordinance and associated agreements, and authorized the County Administrator to sign off on the term sheet. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE, ASSESSOR, AUDITOR, TREASURER**
 - f. **School District II – Legal Briefing:** Received as information.
 - g. **Employee Grievance:** Not discussed in Executive Session.
 - h. **Budget Amendment – Personnel Matter:** Received as information.
11. **Motion Period**
 - a. **This motion pertains to a recent (June 16, 2009) action of Richland County addressed to Colonial Life Insurance Company terminating payroll deductions for voluntary supplementary insurance policies written by Colonial currently held by County employees, many of which have been in effect for several years. This motion directs the County Administrator to take whatever action is necessary to reverse the action proposed by the County regarding the termination of these payroll deductions for those County employees wishing to have their policies with Colonial Life Insurance remain in force and continue to collect these payments on behalf of Colonial Life [Pearce]:** Referred to

the July A&F Committee. **ACTION: ADMINISTRATION, HUMAN RESOURCES, FINANCE**

- b. **A Resolution honoring Jim Hamilton for his 47 years of service to Richland County on the occasion of his retirement [Pearce, Smith]:** Approved by unanimous consent. **ACTION: CLERK OF COUNCIL**
 - c. **Motion to direct staff to establish specific plans of action and associated target dates for the Project / Tasks listed in the Implementation Strategies Section of The Renaissance Plan for Decker Boulevard / Woodfield Park Area for which the County is referenced in the column entitled: Implemented By on pages 52, 53 & 54 of the Neighborhood / Community Master Plan and report back to Council within 2 months of this date. [Manning]:** Referred to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
 - d. **Motion to direct staff to investigate the Richland County Neighborhood Council to determine its formal connection to the County, its Bylaws for clarity, its membership determination, and any other issues as deemed necessary by the Administration and report back to Council within 3 months of this date. [Manning]:** Referred to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING, COMMUNITY DEVELOPMENT**
 - e. **Special Called Meetings:** Council rescheduled the July D&S Committee meeting to 9:00am, A&F Committee meeting to 9:30am, and Special Called Wrap Up Meeting to 10:00am for Tuesday, July 28, 2009. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
 - f. **Planning Commission Composition:** I move that Council direct Staff to present several models of Planning Commission composition that ensures a balanced representation of business, environmental, and citizen interests. **[Hutchinson]:** Referred to the D&S Committee. **ACTION: ADMINISTRATION, PLANNING**
12. **Adjournment:** Council adjourned at 9:17 pm.