

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

February 1, 2011

6:00 p.m.

Call to Order: Livingston

Invocation: Jeter

Pledge of Allegiance: Jeter

Approval of Minutes

Regular Session: January 18, 2011: Approved as published.

Zoning Public Hearing: January 25, 2011: Approved as published.

Adoption of the Agenda: Approved as amended. A contractual matter regarding the purchase of property was added under Executive Session.

Report of the County Attorney

- a. **Employee Grievance (If questions)**
- b. **Contractual Matter (If questions, under Chairman's Report)**
- c. **Contractual Matter – Purchase of Property**

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Employee Grievance [ACTION] – Deferred from January 18th Council Meeting:** Council reaffirmed the Administrator's recommendation. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

- b. **Overview of January 24th Transit Organizational Meeting:** Mr. Pope recognized the Council Members who attended, and stated that the City will be in touch regarding the formation of Work Groups.
- c. **Reminder of February 2nd Legislative Delegation Reception at Convention Center [ACTION]:** Mr. Pope reminded Council of the event. Council approved the following consensus items: Local Government Fund; Enclave Legislation; and Regional Cooperation (Economic Development, Transportation, etc.).
- d. **Community Development Recognition:** Mr. Pope recognized the Community Development Department, and will forward the letter to Council. **ACTION: ADMINISTRATION**
- e. **IFAS Council Update:** Mr. Pope stated he would work with the Clerk of Council to schedule IFAS training meeting(s) for Council. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- f. **United Way Update:** Richland County met its goal for Local Government contributions, and increased its contributions by 10%. The Alvin S. Glenn Detention Center was recognized for its participation.
- g. **Appearance Counts Presentation:** Certificates were presented.
- h. **Economic Development Director:** Mr. Pope stated that the Economic Development Director position had been advertised.

Report of the Clerk of Council: The Clerk stated that Richland Memorial Hospital has several items which she will bring back to Council. **ACTION: CLERK OF COUNCIL**

Report of the Chairman

- a. **Contractual Matter:** This item will appear on the February 15, 2011 Council Agenda for action. **ACTION: CLERK OF COUNCIL**
- b. **Lexington County Transportation Request:** Mr. Jackson and two other members of Council will come up with recommendations regarding this item, and will present the recommendations to Council. An update will be provided at the February 15, 2011 Council Meeting. **ACTION: CLERK OF COUNCIL**

1. Public Hearings

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II,**

Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-43, Permits Required / Exemption; so as to add a new paragraph to require an evacuation plan for certain entities within the “Emergency Planning Zone (EPZ)” of the V.C. Summer Nuclear Plant, which is located in Fairfield County: No one spoke.

- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 5, Building Codes Board of Adjustment; Section 6-75, Building Codes Board of Adjustment; so as to empower the Board to hear appeals under the International Fire Code: No one spoke.**
- c. An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee-in-lieu of tax agreement between Richland County, South Carolina, and Mars Petcare US, Inc., as sponsor, to provide for a fee-in-lieu of ad valorem taxes incentive; and other related matters: No one spoke.**

2. Consent Items

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-43, Permits Required / Exemption; so as to add a new paragraph to require an evacuation plan for certain entities within the “Emergency Planning Zone (EPZ)” of the V.C. Summer Nuclear Plant, which is located in Fairfield County [Third Reading]: Council gave third reading approval to an ordinance to require approval of an evacuation plan before the issuance of a building permit for projects located in the Emergency Planning Zone and employing or housing more than 100 people on a regular basis. **ACTION: PLANNING, ZONING, BUILDING PERMITS, EMERGENCY SERVICES, CLERK OF COUNCIL, LEGAL****
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 5, Building Codes Board of Adjustment; Section 6-75, Building Codes Board of Adjustment; so as to empower the Board to hear appeals under the International Fire Code [Third Reading]: Council gave third reading approval to an ordinance amending Chapter 6, Building and Building Regulations, so as to properly empower the Building Code Board of Adjustments to hear appeals under the International Fire Code. **ACTION: PLANNING, BUILDING****

PERMITS, EMERGENCY SERVICES, CLERK OF COUNCIL, LEGAL

- c. **An Ordinance amending the Richland County Code of Ordinances Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (g), On-Premises Signs Permitted in Rural and Residential Districts; so as to Establish the Maximum Height and Square Footage of Signs for Institutional Uses in the RU Rural District [Third Reading]: Council gave third reading approval to the ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- d. **An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee-in-lieu of tax agreement between Richland County, South Carolina, and Mars Petcare US, Inc., as sponsor, to provide for a fee-in-lieu of ad valorem taxes incentive; and other related matters [Second Reading]: Council gave second reading approval to the ordinance and corresponding Fee Agreement. ACTION: ADMINISTRATION, CLERK OF COUNCIL, LEGAL, ASSESSOR, AUDITOR, TREASURER**

- e. **10-33MA, Odom Enterprise, Steven Odom, RU to LI (2.33 acres), TMS# 21613-01-02, 5771 Lower Richland Boulevard [Second Reading]: Council gave second reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- f. **An Ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (A), General; so as to Require Notification to the Building Inspections Department and to the Emergency Services Department Whenever Plans are Submitted that Affect the “Emergency Planning Zone (EPZ)” of the V.C. Summer Nuclear Plant, Which is Located in Fairfield County [Second Reading]: Council gave second reading approval to the text amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- g. **An Ordinance amending the Richland County Code of Ordinances Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (I), On-Premises Signs Permitted in the General Commercial District; Paragraph (4) Height; so as to Establish the Maximum Height for On-Premise Signs in the GC (General Commercial) District [Second Reading]: Council gave second reading approval to the text amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**

- i. Construction Services / Detention Center Chiller Project:** Council approved the request to authorize the Procurement Office, Office of Support Services, and the Sustainability Coordinator to negotiate and award the contract for the EECBG Detention Center Chiller project to begin reducing power consumption and the County's carbon footprint. **ACTION: ADMINISTRATION, GRANTS, PROCUREMENT, DETENTION CENTER, LEGAL, BUDGET, FINANCE, SUPPORT SERVICES**
- j. Judicial Center and Administration Building Lighting Upgrades:** Council approved the request to authorize the Procurement Office, Office of Support Services, and the Sustainability Coordinator to negotiate and award the contract for the EECBG Judicial Center and Administration Building Lighting upgrades project to begin reducing power consumption and the County's carbon footprint. **ACTION: ADMINISTRATION, GRANTS, PROCUREMENT, LEGAL, BUDGET, FINANCE, SUPPORT SERVICES**
- k. Kershaw County IGA Screaming Eagle Landfill:** Council approved the IGA with Kershaw County to give Richland County authority to permit and inspect land disturbance activities for the landfill expansion. **ACTION: ADMINISTRATION, LEGAL, SOLID WASTE, PLANNING, PUBLIC WORKS, CLERK OF COUNCIL**
- l. Recreation for Adults / Seniors:** Council directed the Recreation Commission to appropriate funds for recreational activities targeted specifically for adults/seniors in the FY 12 budget process. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
- m. [Removed from Consent] Richland County North Paving Contract RC-008-CN-1011:** Council approved the request to award the construction contract to CBG in the amount of \$1,552,186.90. **ACTION: ADMINISTRATION, PUBLIC WORKS, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- n. [Removed from Consent] A Resolution in Support of the Central Midlands Council of Governments' Pursuit of Grant Funding from the Department of Defense:** Council approved the Resolution, as amended, which will assist the CMCOG in their grant application process. **ACTION: PLANNING, CLERK OF COUNCIL**
- o. [Removed from Consent] Decker International Corridor Lighting:** Council approved funding the lighting program for five years from the Neighborhood Improvement Program budget, and then require the Decker Boulevard Business Coalition to fund the remaining five years. Staff is to meet with council members regarding funding certain priorities in their

master plans. **ACTION: ADMINISTRATION, PLANNING, FINANCE, BUDGET**

- p. [Removed from Consent] **Jim Hamilton – L.B. Owens Airport Master Plan:** Council approved the Master Plan. **ACTION: ADMINISTRATION, JIM HAMILTON – L.B. OWENS AIRPORT, BUDGET, FINANCE, GRANTS**
- 3. First Reading Item**
- a. **Sale of Property to Vulcan:** Council gave first reading approval to the ordinance. **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL**
- 4. Report of the Development and Services Committee**
- a. **Richland County Membership in the U.S. Green Building Council [To Deny]:** Council approved membership in the U.S. Green Building Council. **ACTION: ADMINISTRATION, BUDGET, FINANCE, PLANNING, BUILDING INSPECTIONS, PROCUREMENT**
 - b. **The Town of Irmo Animal Care Intergovernmental Agreement:** Council approved the Intergovernmental Agreement between Richland County and the Town of Irmo regarding Animal Care. **ACTION: ADMINISTRATION, LEGAL, ANIMAL CARE, CLERK OF COUNCIL**
 - c. **To Amend the Existing Intergovernmental Agreement with the Town of Arcadia Lakes for Road Maintenance, Drainage Maintenance, Plan Review, Inspection, and NPDES Stormwater Permit Compliance, dated July 14, 2003:** Council approved the First Amendment of the Intergovernmental Agreement for Road Maintenance, Drainage Maintenance, Plan Review, Inspection, and NPDES Stormwater Permit Compliance memorandum to assist the Town of Arcadia Lakes. **ACTION: ADMINISTRATION, LEGAL, PUBLIC WORKS, PLANNING, CLERK OF COUNCIL**
- 5. Report of the Administration and Finance Committee**
- a. **Consultant Services for Employee, Retiree, and Medicare Group Benefits & Insurance RFP:** Council approved the award of the contract to Wells Fargo Insurance Services to assist Richland County with the Employee, Retiree, and Medicare Group Benefits & Insurance RFP and include a Tiered Proposal plan in the RFP. **ACTION: ADMINISTRATION, HUMAN RESOURCES, PROCUREMENT, LEGAL, FINANCE, BUDGET**

- b. **An Ordinance Authorizing the Issuance and Sale of General Obligation Refunding Bonds, in One or More Series, with Appropriate Series Designations, in an Aggregate Amount Sufficient to Refund Certain Maturities of Outstanding Bonds of Richland County, South Carolina; Fixing the Form and Details of the Bonds; Delegating to 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 [First Reading]:** Council gave first reading approval to the ordinance. Mr. Malinowski stated that he will forward questions to staff regarding this item. **ACTION: ADMINISTRATION, LEGAL, FINANCE, BUDGET, CLERK OF COUNCIL**

 - c. **An Ordinance Authorizing the Issuance and Sale of Sewer System General Obligation Refunding Bonds, with an Appropriate Series Designation, in an Amount Sufficient to Refund Certain Maturities of Outstanding Bonds of Richland County, South Carolina; Fixing the Form and Details of the Bonds; Delegating to 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 [First Reading]:** Council gave first reading approval to the ordinance. Mr. Malinowski stated that he will forward questions to staff regarding this item. **ACTION: ADMINISTRATION, LEGAL, FINANCE, BUDGET, CLERK OF COUNCIL**
6. **Report of the Economic Development Committee**
- a. [Council placed this item under Executive Session.] **Pass Through Grants:** Council approved the pass through grants (i – iii). **ACTION: ADMINISTRATION, LEGAL, FINANCE, BUDGET, CLERK OF COUNCIL, GRANTS**
 - i. **Project P – SC Energy Office Clean Green Investment Incentives**
 - ii. **Project P – SC Department of Commerce Closing Grant Fund**
 - iii. **Project Cyrus – SC Department of Commerce Closing Grant Fund**
7. **Report of the Rules and Appointments Committee**
- a. **Notification of Vacancies:** Advertise. **ACTION: CLERK OF COUNCIL**

- i. **Community Relations Council – 1 [Rebecca A. Williams, September 9, 2011 (Resigned)]**
- b. **Discussion from Committee**
 - i. **Amendments to the Ordinance regarding Richland County Boards, Commissions, and Committees:** Council gave first reading approval to the ordinance, as amended. **ACTION: CLERK OF COUNCIL, LEGAL**
 - ii. **Motion to amend Council’s Rules to read:** Whenever a meeting is held on the second Tuesday of the month, appropriate written / backup materials for all items of business that are to be included in the Administration and Finance or Development and Services Committee agendas must be delivered electronically to the Administrator’s Office no later than the adjournment of the meeting approximately two weeks prior to the committee meeting’s scheduled meeting date. [Jackson]: Item was held in Committee. **ACTION: CLERK OF COUNCIL**
 - iii. **Legislative Delegation Report Regarding Voter’s Registration:** Item was held in Committee. **ACTION: CLERK OF COUNCIL**
 - iv. **Due to South Carolina's poor national reputation regarding females in elected and appointed positions, I move Council create an ad-hoc committee to study and report any gender disparities in regard to appointment and other leadership positions within the Council's purview of powers. [Manning]:** Item was held in Committee. **ACTION: CLERK OF COUNCIL**
 - iv. **Ordinance to Establish the Richland County Complete Streets Commission:** Council gave first reading approval to the ordinance, as amended. **ACTION: CLERK OF COUNCIL, LEGAL**
 - v. **In the absence of an established Richland County Council policy/rule regarding agency Directors making endorsements of candidates for positions on their respective Boards and/or Commissions appointed by Richland County Council, I move that the Rules & Appointments Committee evaluate this situation and make a recommendation to the full Council to establish a policy on this matter. [Pearce]:** The item was deferred. **ACTION: CLERK OF COUNCIL**

8. **2011 Council Retreat Items:** Council approved the 2011 Annual Goals, the Strategic Plan 2011 Annual Action Plan, the 2011 Legislative Items, and the 2011 Items for Further Analysis as published. **ACTION: ADMINISTRATION**
 - a. **2011 Annual Goals**
 - b. **Strategic Plan 2011 Annual Action Plan**
 - c. **2011 Legislative Items**
 - d. **2011 Items for Further Analysis**
9. **Fire Service Audit Option:** Council approved Option A, Complete the Audit, as previously discussed in Executive Session. **ACTION: ADMINISTRATION, BUDGET, FINANCE, EMERGENCY SERVICES, LEGAL, PROCUREMENT**
 - a. **Complete the Audit**
 - b. **Obtain Enough Information to Redraft the Fire Service Agreement**
10. **2012 Budget Calendar:** Council approved the document as presented. **ACTION: ADMINISTRATION, BUDGET, FINANCE, CLERK OF COUNCIL**
11. **Citizens' Input:** One person spoke.
12. **Executive Session**
 - a. **Economic Development Pass Through Grants:** Council approved the pass through grants (6. a. i – iii). **ACTION: ADMINISTRATION, LEGAL, FINANCE, BUDGET, CLERK OF COUNCIL, GRANTS**
 - b. **Contractual Matter – Purchase of Property:** Council directed the Administrator to enter into a non-financial-obligation contract as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**
13. **Motion Period**
 - a. **Based on a fabulous idea by Councilman Norman Jackson, I move that County Council Institute a State of the County Address Like the State of the Union, State, and City [Manning]:** Forwarded to the D&S Committee. **ACTION: ADMINISTRATION**
 - b. **Motion that County staff be directed to research the viability and costs associated with streaming council meetings live via the county**

website. Furthermore, I also move that staff research and evaluate the resources needed to video tape council meetings for re-broadcast on the County's cable channel. [Rose]: Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, PUBLIC INFORMATION**

- c. Based on the economy and decreased revenues, which would appear to reduce workload on staff, I move that a moratorium be placed on any hiring for positions that become vacant due to retirements or resignation. [Malinowski]: Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, HUMAN RESOURCES**
- d. Have the Administrator encumber as much of the general budget reserve fund as possible in the event the State creates an ordinance stating counties with reserve funds must use these funds for running the County. [Malinowski]: Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
- e. Resolution Honoring Odell Harris [Washington]: Approved unanimously. **ACTION: CLERK OF COUNCIL**
- f. Allocate \$1.7 Million of Road User Fee Fund Balance plus \$1.3 Million of the Continental Settlement funds to equal \$3 Million for purposes of participating with Richland CTC to perform a Low Volume Alternative Paving Pilot/Demonstration Project. [Washington]: Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, PUBLIC WORKS, BUDGET, FINANCE**
- g. A Resolution in support of dirt road paving design [Washington] Referred to D&S Committee. **ACTION: ADMINISTRATION, PUBLIC WORKS**
- h. Responsible bids within 10% of the lowest responsible bid from local business in Richland County shall be given favorable consideration to match and awarded. (This keeps jobs and help businesses in Richland County) [Jackson]: Forwarded to the Economic Development Committee. **ACTION: ADMINISTRATION**
- i. If funds from the Road Maintenance Fee cannot be used for the bus then for a permanent fix, reduce the Transportation Tax by 70% from \$10 to \$3 and to \$10 for commercial vehicles. [Jackson, Hutchinson]: Forwarded to the A&F Committee. **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL**

- j. **All elected County officials shall be treated equally, no exceptions.**
[Jackson]: Forwarded to the Rules and Appointments Committee.
ACTION: CLERK OF COUNCIL

14. Adjournment: Council adjourned at 7:50 p.m.