

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

May 3, 2011

6:00 p.m.

Call to Order: Livingston

Invocation: Jackson

Pledge of Allegiance: Jackson

Approval of Minutes

Regular Session: April 19, 2011: Approved as amended.

Zoning Public Hearing: April 26, 2011: Approved as published.

Adoption of the Agenda: Approved as amended.

Report of the County Attorney

- a. **Richland County Sheriff's Department Mutual Aid Agreement:** Mr. Smith explained that this agreement will allow the RCSD to assist schools, adjacent counties, and others in times of emergency, and is a reciprocal agreement. Council approved the agreement. **ACTION: LEGAL**

Citizens' Input: One person spoke.

Report of the County Administrator

- a. **National Public Works Week Proclamation:** Mr. Hoops stated that May 15 – 21 is Public Works Week. Public education events and a luncheon will occur during the week.
- b. **Decker Mall Update:** Mr. Pope stated that the due diligence is almost complete.

- c. **Caughman Creek Property Update:** Mr. Pope stated that an official response from the Recreation Commission is forthcoming.
- d. **Economic Development Director Update:** Mr. Pope informed Council that interviews have begun.
- e. **Richland 101 Update:** Richland 101 began Monday, April 25, and has about 30 participants.

Report of the Clerk of Council: No report.

Report of the Chairman

- a. **County Administrator's Evaluation:** Mr. Livingston reiterated the timeline that was discussed in the A&F Committee meeting.
- b. **Black Expo:** Mr. Livingston stated that Council should contact the Clerk's Office for tickets.

1. Public Hearings

- a. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$70,000 of General Fund Undesignated Fund Balance to the County Attorney for Redistricting Ad Hoc Committee:** No one spoke.
- f. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual budget to appropriate \$500,000 of General Fund Undesignated Fund Balance to Risk Management for the County's liability claims:** No one spoke.
- c. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$227,000 of General Fund Undesignated Fund Balance to Non-Departmental for the County's Unemployment Bill:** No one spoke.
- d. **An Ordinance Amending the Fiscal Year 2010 – 2011 Hospitality Tax Annual Budget to appropriate \$245,000 of Hospitality Tax Reserved Fund Balance for the Regional Sports Complex Study:** No one spoke.

2. Consent Items

- a. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual budget to appropriate \$500,000 of General Fund Undesignated Fund Balance to Risk Management for the County's liability claims [Third Reading]:** Council gave third reading approval to

a budget amendment in the amount of \$500,000 to pay liability claims. **ACTION: ADMINISTRATION, FINANCE, BUDGET, RISK MANAGEMENT, LEGAL, CLERK OF COUNCIL**

- b. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$227,000 of General Fund Undesignated Fund Balance to Non-Departmental for the County’s Unemployment Bill [Third Reading]:** Council gave third reading approval to appropriate fund balance in the amount of \$227,000 for the County’s Unemployment bill. **ACTION: ADMINISTRATION, FINANCE, BUDGET, LEGAL, CLERK OF COUNCIL**
- c. **An Ordinance Amending the Fiscal Year 2010 – 2011 General Fund Annual Budget to appropriate \$70,000 of General Fund Undesignated Fund Balance to the County Attorney for Redistricting Ad Hoc Committee [Third Reading]:** Council gave third reading approval to the ordinance. **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL**
- d. [Removed from Consent] **An Ordinance Amending the Fiscal Year 2010 – 2011 Hospitality Tax Annual Budget to appropriate \$245,000 of Hospitality Tax Reserved Fund Balance for the Regional Sports Complex Study [Third Reading]:** Council approved third reading of the budget amendment for Work Authorization #2 in the amount of \$245,000, which consists of Site Planning, Schematic Site Design, and associated Program Management services. **ACTION: ADMINISTRATION, BUDGET, FINANCE, PROCUREMENT, CLERK OF COUNCIL**
- e. **An Ordinance Authorizing a Utility Easement / Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS #25600-03-16, also known as 199 Newland Road [Second Reading]:** Council gave second reading approval to the ordinance. **ACTION: LEGAL, CLERK OF COUNCIL**
- f. **11-04MA, Elias Dib, OI to NC (1.29 acres), TMS# 17216-10-22(p), Hardscrabble Road & Summer Valley Drive [Second Reading]:** Council gave second reading approval to the map amendment ordinance. **ACTION: PLANNING, CLERK OF COUNCIL**
- g. **Amending the Richland County Code of Ordinances to address environmental issues:** Council directed staff to identify the various Code provisions that would need to be amended and then draft an ordinance (or ordinances) to address these issues and then send this to the Development Roundtable for recommendations. **ACTION: ADMINISTRATION, PLANNING, LEGAL**

- h. Mass Transit Funds [To Table]:** Council tabled the item.
- i. Adopt the State's travel policy and per diem [To Table]:** Council tabled the item.
- j. CDBG and HOME Funding Process:** Council approved the request to revise the Community Development Block Grant (CDBG) and HOME Programs budgetary process for the upcoming FY 11-12 and subsequent funding years. **ACTION: COMMUNITY DEVELOPMENT**
- k. Central Services Mail and Print Operations Information:** Council voted to allow Support Services to continue to utilize the Pitney Bowes Purchase Power system to process mail in-house contingent on FY 11-12 budget approval. **ACTION: ADMINISTRATION, CENTRAL SERVICES, PROCUREMENT**
- l. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-96 and Section 6-97 of Article IV, Electrical Code; and Section 6-192 of Article XI, Energy Conservation Code, so as to codify the 2008 Edition of the National Electrical Code and the 2006 Edition of the International Energy Conservation Code, and to correctly reflect the 2006 International Residential Code in other sections of Chapter 6 [First Reading]:** Council gave first reading approval of the codification of the 2008 National Electrical Code and the 2006 International Energy Conservation Code into the Richland County Code of Ordinances. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- m. [Removed from Consent] Contract Approval with Palmetto Posting, Inc.:** Council approved the request for the County to enter into a contract with Palmetto Posting at a rate of \$20.00 per property posting not to exceed a total of \$144,000 for the purpose of posting of property in Richland County on which delinquent ad valorem property taxes are due. **ACTION: TREASURER, PROCUREMENT, BUDGET, FINANCE, LEGAL**
- n. [Removed from Consent] Execution of an agreement naming Richland County as the Administering County for the 5th Circuit Public Defender:** Council approved the proposed agreement naming Richland County as the administering county for the 5th Circuit Public Defender, and adding the employees of the 5th Circuit Public Defender (excluding the Circuit Public Defender position and that of his Administrative Assistant – both of whom are state government positions) as Richland County employees. **ACTION: ADMINISTRATION, LEGAL, HUMAN RESOURCES, FINANCE, BUDGET, CLERK OF COUNCIL**

- o. Motion to Adhere to Grant Deadlines as stated in Grant Program Guidelines:** Council directed staff to not accept late or incomplete grant applications, thereby removing the ability for Hospitality Tax, Accommodations Tax, and Discretionary Grant Committees to make the decision to review or recommend late or incomplete applications for funding. This recommendation applies to Hospitality Tax Grant applications, Accommodations Tax Grant applications, and Discretionary Grant applications. **ACTION: ADMINISTRATION, GRANTS**
- p. [Removed from Consent] Policy to Address Budgets of Newly Elected Officials [To Table]:** Council tabled the item.
- q. [Removed from Consent] Policy to Address Mid-Year Agency Budget Amendments [To Table]:** Council tabled the item.
- r. [Removed from Consent] Request to transfer the VAWA Criminal Domestic Violence grant from Court Administration to Solicitor's Office:** Council approved the request to transfer management of the CDV grant to the Solicitor's Office. **ACTION: ADMINISTRATION, GRANTS, BUDGET, FINANCE, COURT ADMINISTRATION, SOLICITOR**
- s. [Removed from Consent] Revision to Richland County Employee Handbook to Expand Groups Protected from Discrimination:** Council approved the request to expand groups protected from discrimination. **ACTION: HUMAN RESOURCES, LEGAL**
- t. [Removed from Consent] An Ordinance Authorizing a lease to South Carolina Historic Aviation Foundation for temporary use of the Curtiss-Wright Hangar at the Jim Hamilton – LB Owens Airport [First Reading]:** Council gave first reading approval to the request to lease the Curtiss-Wright Hangar to the South Carolina Historic Aviation Foundation based on the draft lease agreement. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AIRPORT**
- u. [Removed from Consent] An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; by the addition of Article VI, Equal Employment and Privileges to Public Accommodations; so as to prohibit discrimination in the equal enjoyment and privileges to public accommodations [First Reading]:** Council gave first reading approval to an amended public accommodations ordinance consistent with the City of Columbia. **ACTION: LEGAL, CLERK OF COUNCIL**

- v. [Removed from Consent] **Use the Debt Collection Program to Recover Outstanding Debt:** Council approved the use of the Setoff Debt Collection Program (GEAR) offered by the South Carolina Association of Counties to collect delinquent money owed to the County's Community Development Department from beneficiaries of County HOME Investment Partnership Program and Community Development Block Grant. **ACTION: LEGAL, CLERK OF COUNCIL, COMMUNITY DEVELOPMENT, BUDGET, FINANCE**

- w. **Vote Federal Accessibility Grant Election Commission:** Council accepted a grant in the amount of \$36,502.25 from the Help America Vote Act ((HAVA) Health and Human Services (HHS) Voting Access for Individuals with Disabilities (VOTE). **ACTION: ADMINISTRATION, GRANTS, BUDGET, FINANCE, ELECTION COMMISSION**

3. Second Reading Items

- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 6;, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-185, Temporary and Accessory Uses; Subsection (B) Accessory Uses and Structures (Customary); Paragraph (1), General Standards and Limitations; Subparagraph (D); so as to provide size restrictions for accessory structures in the RU (Rural) District:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

4. First Reading Items

- a. **An Ordinance to raise revenue, make appropriations, and adopt a budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2011 and ending June 30, 2012 [By Title Only]:** Council gave first reading approval by title only to the ordinance. **ACTION: ADMINISTRATION, FINANCE, BUDGET, CLERK OF COUNCIL, LEGAL**

- b. **An Ordinance authorizing the levying of Ad Valorem Property Taxes, which together with the prior year's carryover and other state levies and any additional amount appropriated by the Richland County Council prior to July 1, 2011, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2011 through June 30, 2012 [By Title Only]:** Council gave first reading approval by title only to the ordinance. **ACTION: ADMINISTRATION, FINANCE, BUDGET, CLERK OF COUNCIL, LEGAL, ASSESSOR, AUDITOR, TREASURER**

- c. **An Ordinance Authorizing the issuance and sale of not to exceed \$2,000,000 General Obligation Bonds, with an appropriate series designation, 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 [By Title Only]:** Council gave first reading approval by title only to the ordinance. **ACTION: ADMINISTRATION, FINANCE, BUDGET, CLERK OF COUNCIL, LEGAL**

5. Report of the Development and Services Committee

- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Division of Real Property to Heirs of a Decedent; so as to permit private road subdivisions [~~First Reading~~]:** Council sent the ordinance to the Planning Commission for their recommendation. Council kept in the hold harmless provision. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **Amend Chapter 26 to define all businesses reference therein:** Council did not approve the item.
- c. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26 – 151, Permitted Uses with Special Requirements; Subsection (C), Standards; so as to delete certain setback requirements for bars and other drinking places [First Reading]:** Council gave first reading approval to an amended ordinance, and sent the ordinance to the Planning Commission for their recommendation. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

6. Report of the Administration and Finance Committee

- a. **Organizationally place the County Assessor's Office under the County Administrator:** Council directed the Administrator to request the Richland County Legislative Delegation introduce legislation that would repeal the special legislation and thereby allow the County Assessor and the County Assessor's Office to be organizationally placed under the County Administrator. **ACTION: ADMINISTRATION, LEGAL**
- b. **Timeline for the County Administrator's Evaluation:** Council members are to complete and return the evaluation forms to Mr. Tomes by May 31. Mini-conferences are to be held in June and October. A full evaluation will be conducted in December.

7. **Report of the Rules and Appointments Committee**

a. **Notification of Vacancies – Advertise. ACTION: CLERK OF COUNCIL**

- i. **Appearance Commission, Horticulturist – 1 [James Strozier, Resigned]**
- ii. **Employee Grievance Committee – 1 [Josephine McRant, June 3, 2011*]**
- iii. **Hospitality Tax Committee – 1 [Scott M. McCarthy, May 5, 2011]**

b. **Notification of Appointments**

- i. **Business Service Center Appeals Board – 1 [No applications]: Advertise. ACTION: CLERK OF COUNCIL**

c. **Discussion from Rules and Appointments Committee**

- i. **That all ordinance changes and text amendments be reflected on the County website no later than 30 days after approval by Council. Presently, some ordinance changes that law enforcement may have a need for do not reflect current wording. [Malinowski]: Staff will place executed ordinances on the County's website as soon as possible after the minutes for the ordinances are approved. ACTION: CLERK OF COUNCIL, LEGAL, PUBLIC INFORMATION**
- ii. **In light of some recent FOIA requests staff should create a policy addressing requests stating they are in the interest of the public and, therefore, the requestor should not be charged. Just because a media person or attorney makes a request does not automatically make it in the interest of the public. It should be incumbent on the requestor to show that. [Malinowski]: This motion was withdrawn.**
- iii. **If Council intends to attempt another try at a Referendum for a penny sales tax increase, all council members shall hold public meetings to get public input before making a final decision whether to move forward or not. Public input shall determine how proceeds from the tax will be spent and the term of the tax. This process should be given enough time to make sure it does not appear rushed or at the last minute.**

Reason: If approved, the citizens will be paying for this and we are only the representatives of the people's will and so we shall do everything that's in the best interest of the people we serve. **Transparency:** This process whether it is approved and passes or not will give comfort to our constituents that we are not hiding anything by revealing up front everything that would be done with that tax. [Jackson]: This item was tabled.

- iv. **Manage the number of motions made by Council members during the Motion Period [Livingston]:** This item was tabled.
- v. **All checkmarks placed for recommendation or denial of a particular item on the Council agenda will require a comment to show why such decision was made. (No more blanks.) [Malinowski]:** A third box, Council Discretion, is to be added to the Request of Action template. If this box is checked, an explanation must be provided. **ACTION: ADMINISTRATION**

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

9. **Executive Session:** No items.

10. **Motion Period**

- a. **A Resolution honoring Blythewood Middle School for being re-designated as a School to Watch by the National Forum to Accelerate Middle Grades Reform for the second time [Dickerson]:** Resolution was approved unanimously. **ACTION: CLERK OF COUNCIL**
- b. **Richland County develop a Commission for the Aging: Address the aging population needs and improve quality of life. Work with the office on aging at Lt. Governor's Office and serve as recommending body to County Council [Jackson]:** Forwarded to the Development and Services Committee. **ACTION: ADMINISTRATION**
- c. **Richland County Council has dismissed the Clerk of Council effective March 31, 2011 and so is currently without a Clerk. I motion to start the process for the search for a Clerk of Council immediately. [Jackson]:** Forwarded to the Administration and Finance Committee. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- d. **National Travel Tourism Week Proclamation:** Approved. **ACTION: CLERK OF COUNCIL**
- e. **Move that RICHLAND COUNTY HUMAN RESOURCES GUIDELINES TITLE: Voluntary Resignation Number: 5.16**

EFFECTIVE DATE: 8/1/2009; Section entitled Exit Interview be revised to include wording which stipulates all employees who resign be provided with an Exit Interview Form and that a one-on-one discussion upon termination (voluntary or involuntary) be conducted by his/her Supervisor or Department Head, or HRD. Additionally, that wording be added to specify that once performed, management will evaluate the contents of the exit interview form to determine if any management action needs to take place or investigate issues provided in the documentation. Finally, that if an employee refuses to participate, that information is documented to explain the absence of a completed form [Manning] Forwarded to the Administration and Finance Committee. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

- f. **I move that Council direct staff to investigate the cost savings of the option of installing stop signs instead of speed humps as a traffic calming technique, in certain situations, and to lower the current warrants for county stop signs in those cases. Reason: Speeding traffic cutting through neighborhoods is endangering residents. Within neighborhoods, stop signs are a less expensive remedy than installing asphalt speed humps everywhere, and should be considered as a first choice. Traffic volume warrants for stop signs should be adjusted down for internal neighborhood traffic [Hutchinson] Forwarded to the Administration and Finance Committee. **ACTION: ADMINISTRATION, PUBLIC WORKS****

11. **Adjournment:** Council adjourned at 8:05 p.m.