

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
November 13, 2012
6:00 p.m.**

Call to Order: Washington

Invocation: Hutchinson

Pledge of Allegiance: Hutchinson / Boy Scout Troop

Approval of Minutes

- a. **Regular Session: October 16, 2012:** Approved as published.
- b. **Zoning Public Hearing: October 23, 2012:** Approved as published.

Adoption of the Agenda: Approved as published.

Report of the Attorney for Executive Session Items

- a. **Palmetto Utilities Update**
- b. **Landfill Contractual Matter**
- c. **Personnel Matter**
- d. **SOB Update**
- e. **Elections Update**
- f. **Employee Grievance**

Citizens' Input: No one spoke.

Report of the County Administrator

- a. **Transportation Penny Update:** Mr. McDonald stated that while we are waiting on the certification of the vote, staff is finalizing the Program Management RFP, the Small / Local / Minority ordinance revisions, and the Job Description for the Transportation Director.

- b. **Parking Meter Proposal:** The item will appear on the November A&F Committee agenda. **ACTION: ADMINISTRATION, FACILITIES AND GROUNDS**

- c. **TIF Update:** Timeline is as follows:
 - o 1st Reading: November 20 [Potentially Title Only]
 - o Public Hearing: December 4
 - o 2nd Reading: December 4
 - o 3rd Reading: December 11

- d. **911 Call Center Recognition:** The Columbia / Richland 911 Call Center was recently recognized as the 911 Center of the Year during the annual APCO / NENA conference. The Center was recognized for:
 - *Recent Technology Upgrades
 - *CALEA National Accredited Agency
 - *Support of Community and First Responders
 - *Training Programs
 - *Employee Incentive Programs
 - *Dedicated Work Force

- e. **"Security of County Records" IT Information Video:** Ms. Claggett updated Council on this item. The Interim Administrator is to review Ms. Claggett's recommendations, and come back with a recommendation for Council at the November 20, 2012 Council Meeting. **ACTION: ADMINISTRATION, INFORMATION TECHNOLOGY, CLERK OF COUNCIL**

- f. **Employee Grievance [ACTION]** Council upheld the Administrator's recommendation. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

Report of the Clerk of Council

- a. **TIF Work Session** [Proposed Date: November 27, 4:00-5:00 PM] **[ACTION]:** Council did not approve this item.

- b. **2013 Council Retreat** [Proposed Dates: January 24-25, 2013] **[ACTION]:** Council approved the dates. Council members are to submit potential Retreat locations to the Clerk's Office. **ACTION: CLERK OF COUNCIL**

- c. **Proposed 2013 Council Meeting Calendar [ACTION]:** Deferred to November 20, 2012. **ACTION: CLERK OF COUNCIL**

- d. **Council Rules Work Session** [Proposed Date: November 27, 4:00 – 5:00 PM]

[ACTION]: Approved. ACTION: CLERK OF COUNCIL,
ADMINISTRATION, LEGAL

Report of the Chairman

- a. **Business Friendly Task Force Recommendations Work Session [Proposed Date: November 29, 5:00 – 6:00 [ACTION]: Approved. ACTION: CLERK OF COUNCIL, ADMINISTRATION, PLANNING**
- b. **Personnel Matter:** Executive Session item. Received as information.
- c. **Penny Referendum Next Steps:** Not discussed.

Open/Close Public Hearings

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration: Article V, County Departments; by adding a new division entitled 3A, Tax Assessor; so that a new department will be created, and Amending Chapter 23, Taxation; Article II, Tax Assessor and Article III, Board of Assessment Control; by deleting the language therein:** No one spoke.
- b. **An Ordinance Amending the Fiscal Year 2012-2013 Solid Waste Enterprise Fund Annual Budgets to appropriate \$972,600 of Solid Waste Enterprise Unassigned Fund Balance for transfer to Solid Waste Operating Budget for the sole purpose of purchasing roll carts:** No one spoke.
- c. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$184,496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process:** No one spoke.
- d. **An Ordinance Amending the Richland County Code of Ordinances No.043-01HR Section 24 to increase the rate of copy charges for autopsy reports to \$500:** No one spoke.
- e. **An Ordinance Authorizing a Quit-Claim Deed to Mary Tyler Robinson for an unnamed road shown on a plat in Plat Book “13” at Page 147 and recorded in the Richland County Register of Deeds; and being further described as Richland County TMS#07313-07-01:** No one spoke.
- f. **An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS#15209-01-04, also known as 218 McNulty Street:** No one spoke.
- g. **An Ordinance Amending the FY12-13 General Fund Annual Budget to add a Full-Time Paralegal position in the Public Defender’s Office:** No one spoke.

1. Consent Items

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 3A, Tax Assessor; so that a new department will be created, and Amending Chapter 23, Taxation; Article II, Tax Assessor and Article III, Board of Assessment Control; by deleting the language therein [THIRD READING] Council gave third reading approval to the ordinance that places the County Assessor and County Assessor's office under the County Administrator. ACTION: LEGAL, ASSESSOR, ADMINISTRATION, CLERK OF COUNCIL**
- b. **An Ordinance Amending the Fiscal Year 2012-2013 Solid Waste Enterprise Fund Annual Budgets to appropriate \$972,600 of Solid Waste Enterprise Unassigned Fund Balance for transfer to the Solid Waste Operating Budget for the sole purpose of purchasing roll carts [THIRD READING] Council gave third reading approval to the request to transfer \$972,600 from the Solid Waste enterprise fund balance to the Solid Waste operating budget for the sole purpose of purchasing 20,000 ninety-five gallon roll carts to enhance the County's recycling efforts. ACTION: SOLID WASTE, FINANCE, PROCUREMENT, LEGAL, CLERK OF COUNCIL**
- c. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$184,496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process [THIRD READING] Council gave third reading approval to a budget amendment in the amount of \$184,496 for additional grant match funds for confirmed and pending FY 13 grant awards. Council would like a policy established regarding grants. Staff is tracking this item for the FY 14 budget process. ACTION: GRANTS, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
- d. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 6A, Conservation; so that a new department will be created [THIRD READING] Council gave third reading approval to an ordinance creating the Conservation Department. ACTION: CONSERVATION, HUMAN RESOURCES, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**
- e. **An Ordinance Amending Ordinance 043-10HR, so as to increase the rate of copy charges for autopsy reports to \$500. [THIRD READING] [PAGES 63-67] Council gave third reading approval to the request to increase the copy charges for autopsy reports from \$100 to \$500. Family members of the deceased, as well as law enforcement, will not be charged. ACTION: CORONER, FINANCE, LEGAL, CLERK OF COUNCIL**
- f. **An Ordinance Authorizing the Second Amendment of that certain Fee Agreement by and between Richland County, South Carolina and [Project Resolve], relating to, without limitation, the payment to Richland County of a fee in lieu of taxes and the grant of a special source revenue credit to**

[Project Resolve], and other matters relating thereto [SECOND READING] Council gave second reading approval to the item. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- g. **An Ordinance Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood, South Carolina relating to [Project Resolve] and the business license fees on the investment by [Project Resolve], and other matters related thereto [SECOND READING] Council gave second reading approval to the item. ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**
- h. **12-32MA
Terry Darragh
Richland County Landfill, Inc. RU to HI (79.11 Acres)
Screaming Eagle Rd.
31600-02-18(p) [SECOND READING] Council gave second reading approval to the map amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- i. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; so as to repeal the Green Code Standards and to have Section 26-186 read as "Reserved" [SECOND READING] Council gave second reading approval to the text amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- j. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-176, Landscaping Standards; Subsection (J), Protection of Existing Trees During Development; Paragraph (3), Exemption - Protection; so as to remove buffer and BMP requirements for forestry activities [SECOND READING] Council gave second reading approval to the text amendment ordinance. ACTION: PLANNING, CLERK OF COUNCIL, LEGAL**
- k. **[Removed from Consent] General Obligation Bonds for the Richland County Recreation Commission:** Council approved the recommendation that the Council liaison group for the Recreation Commission (Kennedy, Hutchinson, Washington), along with appropriate staff, meet with the Recreation Commission to obtain further information and greater detail on this item. This group is also to work on viable alternatives to provide the Recreation Commission with operational dollars, and is to bring recommendations back to Council for review and action. **ACTION: ADMINISTRATION, FINANCE, CLERK OF COUNCIL**
- l. **Changes to Employee Handbook - Promotion Probation:** Council approved the proposed language and directed staff to amend appropriate documents as

- m. [Removed from Consent] **Santee Wateree Transit Authority Motion and COG Transit Analysis:** Council consented to the COG Transit Analysis. The results and recommendations from the COG Transit Analysis will be brought to Committee at a later date, and funding for the SWRTA will be discussed during the FY 14 budget process. **ACTION: ADMINISTRATION, FINANCE**

- n. [Removed from Consent] **IT Server Room HVAC Upgrade:** Council authorized Procurement to enter into and award a contract with Cullum Mechanical for improvements to the IT server room HVAC system to include installing the redundant emergency system. **ACTION: PROCUREMENT, INFORMATION TECHNOLOGY, FINANCE, FACILITIES AND GROUNDS**

- o. **Ridgewood Monticello Road Streetscape Project (Bid Award Approval and Commercial Lighting Fee Increase):** Council approved the award of contract in the amount of \$315,815.20 to Cherokee Construction for the Monticello Road Streetscape project (Phase I of II). Council also approved the revised lighting fee agreement between SCE&G and Richland County, contingent upon the requested revisions by the Legal Department being resolved. **ACTION: PROCUREMENT, FINANCE, COMMUNITY DEVELOPMENT, PLANNING, LEGAL**

- p. [Removed from Consent] **Broad River Road Corridor Lighting Project:** Council approved the request to install the 33 lights within the Broad River Road Corridor and Community study area, contingent upon the offending language being removed from the lighting agreement. **ACTION: PROCUREMENT, FINANCE, PLANNING, LEGAL**

- q. [Removed from Consent] **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to add a Full- Time Paralegal position in the Public Defender's Office [FIRST READING]:** Council gave first reading approval to the budget amendment authorizing the conversion of the Part-Time position to a Full-Time position. This will be financially neutral. **ACTION: CLERK OF COUNCIL, FINANCE, PUBLIC DEFENDER'S OFFICE, HUMAN RESOURCES, LEGAL**

- r. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Certain Subdivisions Exempt from Road Standards; so as to delete the requirement of county review fees [FIRST READING]:** Council gave first reading approval to an ordinance which will delete the county review fees for family property (Section 26-224 of the Land Development Code), retroactive to November 15, 2011. **ACTION: CLERK OF COUNCIL, PLANNING, LEGAL**

- s. [Removed from Consent] **Develop a Master Plan for the Olympia Neighborhood [TO TABLE]:** Council authorized staff to engage the City of Columbia in discussions regarding their willingness to partner with the County on Master Plan(s) for the Olympia and Whaley communities. The recommendations and results from these discussions are to be brought to Retreat. There is no financial commitment to this project at this time. **ACTION: PLANNING, ADMINISTRATION**
- t. [Removed from Consent] **Council Members to Review the Comprehensive Plan's Current and Future Land Use Maps [RECEIVE AS INFORMATION]:** Council members accepted the item as information, and will meet with Planning staff as they deem necessary to review the current and future land use maps in their district. Further, the Committee recommends that the Comprehensive Plan be discussed at Retreat. **ACTION: PLANNING, ADMINISTRATION**
- u. **Water Line Installation on Larger:** Council directed staff to investigate the feasibility and cost of constructing a water line to properties along Larger Street, and report findings to Council. The Committee also recommended that staff review other similar instances across the County. **ACTION: UTILITIES, ADMINISTRATION**
- v. **Broad River Sewer Monthly User Fee [TO TABLE]:** Council Tabled the item. Council directed that by the first of the year, staff provide information on the feasibility of prospectively metering sewer in unincorporated Richland County. **ACTION: UTILITIES, ADMINISTRATION**
- w. **An Ordinance Authorizing a Quit-Claim Deed to Mary Tyler Robinson for an unnamed road shown on a plat in Plat Book "13" at Page 147 and recorded in the Richland County Register of Deeds; and being further described as Richland County TMS# 07313-07-01[FIRST READING]:** Council gave first reading approval to the quitclaim of the unopened road back to the Robinson family as requested. **ACTION: PUBLIC WORKS, LEGAL, CLERK OF COUNCIL**
- x. **An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS# 15209-01-04, also known as 218 McNulty Street [FIRST READING]:** Council gave first reading approval to the power line easement to SCE&G for 218 McNulty Street, per the request of the Richland County Public Library. **ACTION: LEGAL, CLERK OF COUNCIL**

2. Third Reading Items

- a. **An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection Service General Obligation Bonds, Series 2012B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Authorizing the Interim County**

Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; adopting written procedures related to tax-exempt debt; and other matters relating thereto: Council gave third reading approval to a bond ordinance of up to \$9,000,000 in accordance with the capital needs assessment for County Fire operations as presented by the County Administrator during the Council's Annual Retreat. **ACTION: FINANCE, EMERGENCY SERVICES, PROCUREMENT, LEGAL, ADMINISTRATION, CLERK OF COUNCIL**

- b. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$11,830 of General Fund Unassigned Fund Balance for the Legal Department for salary adjustments:** Council gave third reading approval to the ordinance. Council approved the fringe benefits request of 18.25 percent, or \$11,830. The individual salary increases are to be addressed in Phase II of the Classification & Compensation study at the same time as all other departments. **ACTION: LEGAL, FINANCE, CLERK OF COUNCIL, ADMINISTRATION**
3. **Report of the Economic Development Committee**
- a. **A Resolution Authorizing the exercise of the option pursuant to the Option Agreement between the County and VB Blythewood Properties LLC and other matters related thereto:** Council approved the Resolution. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**
 - b. **Authorizing the execution and delivery of an agreement between the County and [Project Resolve] to provide for the conveyance of certain property from the County to [Project Resolve] and other matters related thereto [FIRST READING BY TITLE ONLY]:** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**
 - c. **A Resolution Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement (the "incentive agreement") between Richland County, South Carolina (the "County") and Constantia Hueck Foils L.L.C., acting for itself, and one or more affiliates or other project sponsors (the "Company"), whereby, under certain conditions, the County shall grant incentives to the Company in connection with the expansion of certain manufacturing facilities in the County (the "Expansion Project"), in which agreement the County will covenant to accept certain negotiated fees in lieu of Ad Valorem taxes with respect to the Expansion Project; (2) Certain special source credits in connection with the Expansion Project; (3) the benefits of a Multi- County Industrial or Business Park to be made available to the Company; and (4) other matters relating thereto:** Council approved the Resolution. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**

- d. **An Ordinance Authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement (the "Incentive Agreement") between Richland County, South Carolina (the "County") and Constantia Hueck Foils L.L.C., acting for itself, and one or more affiliates or other project sponsors (the "Company"), whereby, under certain conditions, the County shall grant incentives to the Company in connection with the expansion of certain manufacturing facilities in the County (the "Expansion Project"), in which agreement the County will covenant to accept certain negotiated fees in lieu of Ad Valorem taxes with respect to the Expansion Project; (2) Certain special source credits in connection with the Expansion Project; (3) the benefits of a Multi- County Industrial or Business Park to be made available to the Company; and (4) other matters relating thereto [FIRST READING BY TITLE ONLY]:** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL, ASSESSOR, AUDITOR, TREASURER**
- e. **Bailey Bill Ordinance:** Deferred to the November 20, 2012 Council Meeting. **ACTION: ECONOMIC DEVELOPMENT, LEGAL, CLERK OF COUNCIL**

4. Report of the Rules and Appointments Committee

- a. **Notification of Vacancies:** Advertise. **ACTION: CLERK OF COUNCIL**
 - 1. **Airport Commission-1; there will be one upcoming vacancy on this commission: Peter Mayers, December 16, 2012***
 - 2. **Board of Zoning Appeals-1; there is one vacancy on this board: Torrey Rush, November 1, 2014**
 - 3. **Richland Memorial Hospital Board-3; there will be three vacancies on this board:**
 - Wendi J. Nance, December 31, 2012**
 - Candy Y Waites, December 31, 2012**
 - Harry Cushman Ward, December 31, 2012**
- b. **Discussion from Rules and Appointments Committee**
 - 1. **Appearance Commission: [MALINOWSKI]:** Approved. **ACTION: CLERK OF COUNCIL, LEGAL**
 - o **Determine what constitutes a quorum for the Appearance Commission and have the Ordinance reflect that.**
 - o **Require all Council members appoint a representative to the Appearance Commission by the July 31, 2012 Council meeting**

- 5. **A Resolution to appoint and commission Andrew Sly Thompson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL**

6. Report of the Regional Recreation Complex Ad Hoc Committee

- a. **Update on RFQ Response: Operations/Management of Complex:** Interviews with the top two firms will be held Tuesday, November 27, 2012 from 3:00pm – 4:00pm. If Council members have questions they'd like answered at the interviews, they are to submit those to the Procurement Director by Friday, November 16.
ACTION: ADMINISTRATION, PROCUREMENT

7. Citizens' Input: No one spoke.

8. Executive Session

- a. **Palmetto Utilities Update:** Staff is to develop appropriate procurement documents, and proceed as discussed in Executive Session. **ACTION: ADMINISTRATION, PROCUREMENT, UTILITIES**
- b. **Landfill Contractual Matter:** Council approved the document with the requested revisions from Legal. **ACTION: ADMINISTRATION, LEGAL, SOLID WASTE**
- c. **Personnel Matter:** Received as information.
- d. **SOB Update:** Council approved Option 1. **ACTION: ADMINISTRATION, LEGAL, PLANNING**
- e. **Elections Update:** Council directed the Legal Department to intervene and participate in the Transportation Penny protest. **ACTION: LEGAL**
- f. **Employee Grievance:** Council upheld the Administrator's recommendation. **ACTION: ADMINISTRATION, HUMAN RESOURCES**

9. Motion Period

- a. **I move that Richland County request the City of Columbia to enter into a Tax Increment Financing (TIF) zone on Broad River Road from Sunset Drive to Piney Grove Road [MALINOWSKI] December A&F. ACTION: PLANNING, ADMINISTRATION**
- b. **That Richland County Fire Service pursue entering into an automatic aid agreement with neighboring counties and municipalities [MALINOWSKI & KENNEDY] Fire Ad Hoc Committee. ACTION: ADMINISTRATION, EMERGENCY SERVICES**
- c. **Work with the Voter's Registration/Election Commission to identify inadequate precincts in each district and recommend replacement sites. Preferable a park, gym or school to accommodate a large crowd inside. REASON: Based on the new census each district has increased immensely and some facilities cannot accommodate the crowd. Citizens should not have to be waiting on the road facing traffic and endangering their lives. [JACKSON] December D&S. ACTION: VOTER REGISTRATION / ELECTION COMMISSION,**

ADMINISTRATION

- d. **Richland County Council develop a report from the Legislative Delegation's hearing including a course of action to support resolving the unfortunate Election Day problems [JACKSON] December D&S. ACTION: VOTER REGISTRATION / ELECTION COMMISSION, ADMINISTRATION**
 - e. **Properly staff the PR Office and start broadcasting the D&S Committee, A&F Committee and Zoning Public Hearing meetings. REASON: To many times citizens see the live broadcast and do not have a clue on how or what discussions took place to make some decisions. As for Zoning, it allows the citizens to see what is proposed for all areas [JACKSON] December A&F. ACTION: PUBLIC INFORMATION, ADMINISTRATION**
- 10. Adjournment:** Council adjourned at 9:08 p.m.