

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

April 7, 2009

6:00 PM

Call to Order: Livingston

Invocation: Pearce

Pledge of Allegiance: Pearce

Presentations:

- a. **DHEC Recycling Award Presentation:** Deferred
- b. **Project Hope:** Dennis Torvett and Marco Williams presented information on the item.

Citizens' Input: No one spoke.

Approval of Minutes

Regular Session: March 17, 2009: Approved as amended. The Mass Transit Fee Ordinance and CMRTA Intergovernmental Agreement were reconsidered and placed back on the agenda. The Intergovernmental Agreement was discussed in Executive Session. After Executive Session, both the Mass Transit Fee Ordinance (Third Reading) and the CMRTA Intergovernmental Agreement were deferred to the April 21, 2009 agenda.

Zoning Public Hearing: March 24, 2009: Mr. Manning stated that his absence was excused, and should be noted as such. Page 28 was amended to read, "The motion for approval did not carry."

Adoption of Agenda: The agenda was adopted as published.

Report of the County Attorney for Executive Session Items

- a. **Waste Management Contractual Amendment**

- b. **HBA vs. Richland County**
- c. **Vineyard vs. Lott**
- d. **Columbia Venture**
- e. **CMRTA IGA**

Report of the County Administrator

- a. **Rowing Club MOU:** Mr. Pope stated that a meeting between Mr. Livingston and Mr. Malinowski was scheduled to clear up Mr. Malinowski's concerns. The item is on tonight's Council agenda for action. **ACTION: ADMINISTRATION**
- b. **Comprehensive Plan Public Input Meetings Reminder (3 Remaining):** Mr. Kocy informed Council of the three remaining public input sessions: April 9, Eastover; April 14, Adult Activity Center on Parklane; April 15, St. Andrews.
- c. **Update on American Dream Conference:** Ms. Snowden stated that the American Dream Conference, held March 21, was a success, with 400 attendees.
- d. **Update on Animal Shelter Grand Opening:** Ms. Matthews informed Council that the Grand Opening for the City-County Animal Shelter occurred Friday, April 3, 2009. The joint shelter is now up and running.
- e. **Waste Management Public Information Session Reminder: April 15th, 5:30 p.m., Council Chambers:** Mr. Pope reminded 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.
- f. **Stimulus Update / Stimulus Ad Hoc Committee:** Mr. Pope updated Council on the meetings held with Department Directors and Stimulus Ad Hoc Committee.
- g. **FY 10 Budget Update / Budget Calendar:** Mr. Pope stated that the FY10 budget process is underway, and that a copy of the budget calendar had been distributed as a reminder of upcoming work sessions and readings of the budget.
- h. **Economic Development Strategic Plan Work Session: Schedule:** Ms. Matthews recommended that the Economic Development Committee hold

a special called meeting on April 21 from 4pm – 5pm to formulate recommendations, and that a full council work session be held from 5pm – 6pm immediately afterwards. This item was forwarded to the Motion Period for scheduling.

- i. RCRC Project Status Update to Council / April 21, 2009 Council Meeting:** Mr. Pope stated that a representative from the Recreation Commission will be at the April 21, 2009 Council Meeting to give an update on the \$50M bond. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
- j. Palmetto Utilities Update:** Mr. Pope stated that this item is moving forward.
- k. Project Pet Status Update:** Ms. Matthews informed Council that the project is in the design phase, which should be completed by the end of the month. The project is to be constructed by August 31, 2010.
- l. Stormwater Update: Online Process:** Mr. Pope showed Council the online resources for public input for both stormwater and yard debris.
- m. Lawn Mower Exchange:** The 2009 event will take place on Saturday, April 18 from 9am – noon outside the Colonial Life Arena. Residents may trade in their gasoline-powered lawn mowers for substantial discounts on the purchase of environmentally-friendly electric lawn mowers.

Report of the Clerk of Council

- a. Benedict Broadband in Cities and Towns Conference:** April 16. The County has 3 complimentary tickets.
- b. Lower Richland Sweet Potato Festival:** April 25, 11:00am – 5:00pm, Hopkins Park
- c. Sally the Salamander:** Leadership Columbia Class Project, Interactive Walking Tour, Saturday, April 21, 10:00am, Convention Center
- d. SCAC Forms:** Ms. Finch distributed forms to Council that needed to be returned.

Report of the Chairman

- a. NHA (National Hydrogen Association) Conference Update:** Mr. Livingston stated that the conference was a huge success, with 2700

participants. Richland County was a sponsor of the conference, which included 400 students and 150 volunteers.

- b. **Stimulus Update:** Mr. Livingston stated that the Stimulus Ad Hoc Committee (comprised of himself, Mr. Jeter, Mr. Pearce, Ms. Dickerson, and Mr. Jackson) met with the consultant, and will continue to meet regularly to discuss potential stimulus funding opportunities.

1. Public Hearing Items

- a. **An Ordinance amending the FY 2008-2009 Conservation Commission budget to appropriate ninety-two thousand five hundred fifty eight dollars (\$92,558) to provide funding for operational expenses:** No one spoke.
- b. **An Ordinance amending the FY 2008-2009 Hopkins Utility System budget to appropriate thirteen thousand dollars (\$13,000) for operational costs through the end of the fiscal year:** No one spoke.
- c. **An Ordinance amending the FY 2008-2009 Richland County Industrial Park budget to increase the budget seventy-five thousand dollars (\$75,000):** No one spoke.
- d. **An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled “Personnel Regulations,” of Chapter 2 entitled “Administration”:** No one spoke.
- e. **An Ordinance amending the FY 2008-2009 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:** No one spoke.

2. Approval of Consent Items

- a. **[REMOVED FROM CONSENT] Request to approve a budget amendment to the Hospitality Tax Fund in the amount of \$40,000 to provide operating capital for the Township Auditorium [THIRD READING]:** Council gave third reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**
- b. **An Ordinance amending the FY 2008-2009 Conservation Commission budget to appropriate ninety-two thousand five hundred fifty eight dollars (\$92,558) to provide funding for operational expenses [THIRD READING]:** The ordinance received third reading. **ACTION:**

ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE

- c. **An Ordinance amending the FY 2008-2009 Hopkins Utility System budget to appropriate thirteen thousand dollars (\$13,000) for operational costs through the end of the fiscal year [THIRD READING]:** Council gave third reading approval to the budget amendment. **ACTION: ADMINISTRATION, UTILITIES, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**

- d. **An Ordinance amending the FY 2008-2009 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 [THIRD READING]:** Council gave third reading approval to the budget ordinance. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, HAMILTON-OWENS AIRPORT, CLERK OF COUNCIL**

- e. **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; so as to amend Subsection (E), Prohibited Signs, and to create a new subsection for the purpose of enforcement [SECOND READING]:** Council gave second reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, PLANNING, CLERK OF COUNCIL**

- f. **A Resolution requesting that the South Carolina General Assembly continue to support meaningful incentives for recyclers in recognition of the energy and environmental benefits of recycling to our county, the state, and the nation:** Council approved the resolution. **ACTION: CLERK OF COUNCIL**

- g. **Request to approve the early renewal of a municipal solid waste contract with Waste Management, Inc.:** Council approved the early renewal of the contract with Waste Management, Inc. **ACTION: ADMINISTRATION, LEGAL, PROCUREMENT, PUBLIC WORKS, SOLID WASTE, BUDGET, FINANCE**

- h. **Request to consider a petition filed in circuit court to close a portion of Blaine Street and Dunston Street:** Council approved the petitioner's request and directed Legal to answer the suit accordingly. **ACTION: LEGAL**

- i. **Request to approve a grant in the amount of \$28,000 from South Carolina Competitive Grants Program to support the Gills Creek**

Watershed Restoration Project (No Personnel): Council approved the grant. **ACTION: ADMINISTRATION, BUDGET, FINANCE**

- j. **A resolution to allocate \$54,100.30 in Military Forest Funds:** Council approved the resolution, with 50% of funds dedicated to schools, and 50% dedicated to public roads. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
 - k. **A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (Lexington-Richland Alcohol and Drug Abuse Council, Inc. Project) Series 2009, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$4,500,000 [Request to authorize a public hearing on April 21, 2009]:** Council approved the holding of a public hearing on April 21st, and recommended approval of the resolution upon completion of the public hearing. **ACTION: ADMINISTRATION, CLERK OF COUNCIL**
 - l. **[REMOVED FROM CONSENT] Request to develop a working plan for establishing public-private partnerships for county projects and initiatives:** Council voted to encourage public-private partnerships on a case-by-case basis for county projects and initiatives. **ACTION: ADMINISTRATION, PROCUREMENT**
 - m. **Request to approve an intermediate contract with Lowcountry Billing Services:** Council approved an intermediate contract with Lowcountry Billing Services. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL**
 - n. **A Resolution affirming Richland County's commitment to fair housing:** Council approved the resolution. **ACTION: CLERK OF COUNCIL, COMMUNITY DEVELOPMENT**
3. **Third Reading Items**
- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses 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:** This item was deferred to the April 21, 2009 agenda so that Mr. Malinowski's concerns, and Legal's response to those concerns, may be forwarded to all Council members in advance of that meeting. **ACTION: ADMINISTRATION,**

**BUSINESS SERVICE CENTER, LEGAL, CLERK OF COUNCIL,
BUDGET, FINANCE**

- b. An Ordinance amending the Fiscal Year 2008-09 Richland County Industrial Park budget to increase the budget seventy-five thousand dollars (\$75,000):** Council gave third reading to the ordinance.
ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL
- c. An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Yard Trash and other Household Articles:** Deferred to the April 21, 2009 Council Meeting. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, PUBLIC WORKS**

4. Second Reading Items

- a. An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled “Personnel Regulations,” of Chapter 2, entitled “Administration”:** Deferred to the April 21, 2009 Council Meeting. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, HUMAN RESOURCES**

5. First Reading Items

- a. 09-02MA, Lawrence Owen, RS-MD to OI (1 Acre), 06205-02-02, 1204 Piney Grove Road:** Council denied the zoning map amendment.
ACTION: PLANNING, LEGAL, CLERK OF COUNCIL

6. Report of Development and Services Committee

- a. Development & Services Committee Recommendations [No Action Required]**

7. Report of Administration and Finance Committee

- a. Administration & Finance Committee Recommendations [No Action Required]**

8. Report of Economic Development Committee

- a. An Ordinance consenting to an assignment to TRC Propco, Inc. of all rights and obligations of HOLO (SC) QRS 16-91, Inc. relative to all interests in real property and improvements, and all personal**

property, under a lease agreement, an inducement and millage rate agreement and a fee agreement with Richland County and approving related amendments and restatements of the terms and conditions of the existing lease agreement and fee agreement between HOLO (SC) QRS 16-91, Inc. and Richland County to reflect the assignment of such terms and conditions and approving the terms and conditions of a consent and subordination agreement to be entered into among TRC Propco, Inc., its lender and Richland County and matters thereto related: Council gave first reading approval to the ordinance.
ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, TREASURER, AUDITOR, ASSESSOR

9. Report of Rules and Appointments Committee

- a. **Notification of Vacancies:** Advertise **ACTION: CLERK OF COUNCIL**
 - i. **Accommodations Tax Committee – 2**
 - ii. **Historic Columbia Foundation – 1**
 - iii. **Hospitality Tax Committee – 1**
 - iv. **Internal Audit Committee – 1**
 - v. **Employee Grievance Committee – 1**
 - vi. **Building Codes Board of Adjustments & Appeals – 1**
- b. **Notification of Appointments** **ACTION: CLERK OF COUNCIL**
 - i. **Employee Grievance Committee:** Smyrl was appointed.
 - ii. **Historic Columbia Foundation:** Williams was appointed.
- c. **Electronic Participation Rule Clarification:** Deferred for clarification.
ACTION: CLERK OF COUNCIL
- d. **Review Composition of County Committees, Boards, and Commissions**
- e. **Council Individual Discretionary Accounts**
- f. **Revised Application Form**

Items d – f were held in Committee in order to provide information to all Council members. Items will be before Council at the April 21 Council meeting.

ACTION: CLERK OF COUNCIL

10. **CDV Equipment Grant (\$2,250 match, no personnel):** Council approved the grant. **ACTION: SHERIFF'S DEPARTMENT, BUDGET, FINANCE**
11. **Rowing Club MOU:** Council approved the MOU. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL**
12. **Citizen's Input:** Two people spoke.
13. **Executive Session**
 - a. **Waste Management Contractual Amendment:** No action.
 - b. **HBA vs. Richland County:** Received as information.
 - c. **Vineyard vs. Lott:** Received as information.
 - d. **Columbia Venture:** Received as information.
 - e. **CMRTA IGA:** Council directed staff to continue negotiations on the IGA as directed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**
14. **Motion Period**
 - a. **Placement of Comprehensive Plan on April 21 Agenda [Livingston]:** Council approved the motion. **ACTION: ADMINISTRATION, LEGAL**
 - b. **Guidelines for presentations by agencies receiving funding from the County during the budgeting process [Livingston]:** Forwarded to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**
 - c. **Composition of Discretionary Grants Committee [Manning / Jeter]:** Forwarded to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**
 - d. **ZETA State Conference Resolution [Jackson]:** Council approved the resolution. **ACTION: CLERK OF COUNCIL**
 - e. **To forward to the A&F Committee (April) a request to provide funding for emergency repairs to the Hampton-Preston Mansion**

resulting from deterioration of the guttering system [Pearce]: Council approved the motion. **ACTION: ADMINISTRATION**

- f. Economic Development Strategic Plan:** Council voted to hold a Special Called Economic Development Committee April 21, 4pm – 5pm; and Full Council Work Session April 21, 5pm – 6pm: **ACTION: ADMINISTRATION, CLERK OF COUNCIL**

- g. [Malinowski] MOTION 1:** Any information necessary to have council act on a matter during a council meeting must be provided to council members no later than Friday at 5:00 p.m. If the information is not received by then the matter before council will automatically be postponed until the next regularly scheduled council meeting.

The purpose of this motion is to stop the continual late information being given to council members and not allowing them enough time to review the information properly prior to making a vote.

Forwarded to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

- h. [Malinowski] MOTION 2:** Any special called meeting will only conduct business the meeting was specifically called for. No additional county business will be conducted at that meeting.

The purpose of this motion is to assure that special called meetings do not become a dumping ground or catchall for other matters. It also allows council members the opportunity to allot the necessary time for such a meeting and be assured the meeting will not drag on due to other matters that have been thrown in.

Forwarded to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

- 15. Adjournment:** Council adjourned at 8:38pm.