

# **RICHLAND COUNTY GOVERNMENT**



## **Office of the County Administrator**

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

**July 6, 2010**

**6:00 PM**

**Call to Order:** Jeter

**Invocation:** Jackson

**Pledge of Allegiance:** Jackson

#### **Approval of Minutes**

**Regular Session: June 15, 2010:** Approved as published.

**Zoning Public Hearing: June 22, 2010:** Approved as published.

**Adoption of the Agenda:** The agenda was adopted as amended. An item regarding Grant Match was added to the agenda.

#### **Report of the County Attorney**

- a. **Conservation Commission proposed bid on Fort Jackson parcels to protect Gills Creek**
- b. **Attorney General's Opinion regarding Voter Registration**
- c. **Mallory vs. Richland County**

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

#### **Report of the County Administrator**

- a. **M-1 Zoning Update:** Mr. Pope stated that Geo Price will provide Council with an update regarding the M-1 zoning designation at the July 27, 2010 Zoning Public Hearing. **ACTION: ADMINISTRATION, PLANNING, ZONING**

- b. **Lower Richland Sewer Update:** Mr. Pope stated that staff is continuing to pursue the three different options on a parallel track: (1) continuing the MOU discussions with the City; (2) Palmetto Utilities is gathering information at our request, and (3) the Rural Development Loan / Grant is still outstanding. Staff will continue to provide Council with updates as necessary. **ACTION: ADMINISTRATION, UTILITIES**
- c. **Farmers' Market Update:** Mr. Pope stated that the Joint Resolution was approved. There are pending items relating to the farmers' market property, which will be presented at the July D&S Committee meeting. **ACTION: ADMINISTRATION**
- d. **Navistar Grant:** Mr. Pope informed Council that Richland County will receive a \$300,000 stimulus grant from the SC Energy Office for Navistar. This is a pass-through grant. Navistar will use these grant funds to install energy efficiency lighting and HVAC projects at the following properties:
  - o 1410 Northpoint Boulevard, Blythewood, SC 29016
  - o 121 Research Drive, Columbia, SC 29203 (currently owned by Richland County)
- e. **Planning and Development Services:** Mr. Pope announced Anna Almeida as the new director of Planning and Development Services.
- f. **Jim Hamilton – L.B. Owens:** Mr. Pope announced Chris Eversmann as the new director of Jim Hamilton – L.B. Owens.

**Report of the Clerk of Council:**

- a. **July Wrap-Up Meeting: July 27, 2010:** Remaining regular session Council Meeting = July 20. The Special Called Wrap-Up Meeting will be held immediately following the Zoning Public Hearing on July 27.
- b. **August Recess: Council Meeting Schedule:** The next regular session Council Meeting will be on September 7.
- c. **Retreat: Visionary Legacy of Council:** Mr. Manning will work with the Clerk on scheduling this item.

**Report of the Chairman:** No report.

**1. Public Hearing Items**

- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-2, Loitering; so as to add additional language to the definition.** No one spoke.

- b. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-65, Definitions; Section 23-72, Inspections, Audits, and Administration; Section 23-73, Assessments and Appeals of Hospitality Tax; and Section 23-74, Violations and Penalties; so as to clarify and revise the language therein. No one spoke.**
- c. **Authorizing and providing for the creation of the Hopkins Waterworks System and for the issuance of Hopkins Waterworks System Improvement Revenue Bonds of Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the net revenues derived from the operation of the Waterworks System and pledging the revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing. No one spoke.**
- d. **An Ordinance Authorizing (1) the execution and delivery of an infrastructure credit and incentive agreement by and among Richland County, South Carolina (the “County”), Navistar, Inc. (“Navistar”), and Pure Power Technologies, LLC (“PPT”), to provide for, in part, special source revenue credits to Navistar, PPT, and their respective affiliates, successors, and assigns, the conveyance by Richland County of certain land and real property improvements, and the inclusion and maintenance of certain property in a joint county industrial or business park; and (2) other matters related thereto. No one spoke.**

## 2. Consent Items

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-65, Definitions; Section 23-72, Inspections, Audits, and Administration; Section 23-73, Assessments and Appeals of Hospitality Tax; and Section 23-74, Violations and Penalties; so as to clarify and revise the language therein [Third Reading]: Council gave third reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUSINESS SERVICE CENTER****
- b. **[Removed from Consent] An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-2, Loitering; so as to add additional language to the definition [Third Reading]: Council deferred this item to the July 20, 2010 Council Meeting. Legal staff will meet with the Magistrates regarding their concerns. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, SHERIFF’S DEPARTMENT, MAGISTRATES****

- c. **10-12MA; Richland County Conservation Commission; Jim Wilson; Apply Conservation Overlay to an existing PDD (236 Acres); 17500-03-42; Longtown Road [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, CONSERVATION COMMISSION**
- d. **10-13MA; Richland County Conservation Commission; Jim Wilson; Apply Conservation Overlay to an existing RU (3 Acres); 09411-05-71; Blue Ridge Terrace [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, CONSERVATION COMMISSION**
- e. **10-14MA; Richland County Conservation Commission; Jim Wilson; Apply Conservation Overlay to an existing PDD (3 Acres); 20300-02-40; Rice Creek Farms [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, CONSERVATION COMMISSION**
- f. **10-15MA; Richland County Conservation Commission; Jim Wilson; Apply Conservation Overlay to an existing PDD (7 Acres); 20300-02-34; Lee Road [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, CONSERVATION COMMISSION**
- g. **10-16MA; Richland County Conservation Commission; Jim Wilson; Apply Conservation Overlay to an existing RM-HD (11 Acres); 17300-02-35; Farrow Road [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, CONSERVATION COMMISSION**
- h. **[Removed from Consent] An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Section 26-59, Planned Development Review / Approval; so as to correct the section reference for PDD Regulations [Second Reading]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL, CONSERVATION COMMISSION**
- i. **[Removed from Consent] An Ordinance Authorizing (1) the execution and delivery of an infrastructure credit and incentive agreement by and among Richland County, South Carolina (the “County”), Navistar, Inc. (“Navistar”), and Pure Power Technologies, LLC (“PPT”), to provide for, in part, special source revenue credits to Navistar, PPT, and their respective affiliates, successors, and assigns, the conveyance by Richland County of certain land and real property improvements, and the inclusion and maintenance of certain property**

**in a joint county industrial or business park; and (2) other matters related thereto [Second Reading]:** Council gave second reading to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR, ASSESSOR, TREASURER**

- j. [Removed from Consent] 2007 Roadway Resurfacing Project Additive #6 [D&S]:** Council approved change order #3 for additive #6 to Sloan Construction Company, Inc. for the 2007 Roadway Resurfacing Project in the amount of \$153,095.80. **ACTION: PUBLIC WORKS, PROCUREMENT, LEGAL, ADMINISTRATION, BUDGET, FINANCE**
- k. Adoption of the Complete Streets Goals and Objectives [D&S]:** Council adopted the Complete Street Goals and Objectives. **ACTION: PUBLIC WORKS, PLANNING**
- l. Conservation Easement – Clark Family Property [D&S]:** Council approved the request to accept the conservation easement on 12 acres owned by Kenneth Clark. **ACTION: PLANNING, CONSERVATION COMMISSION, LEGAL**
- m. [Removed from Consent] Child Sexual Predator Program Grant – Sheriff’s Department [A&F]:** Council approved the request to approve the grant proposal for the Child Sexual Predator Program. Council further directed that funds to pay for this position be absorbed in the Sheriff Department budget in two years when grant funds are no longer available. **ACTION: ADMINISTRATION, SHERIFF, GRANTS, BUDGET, FINANCE**
- n. Contract Renewal for Detention Center Fire and Security System [A&F]:** Council approved the request to renew the contract with Honeywell, Inc. for \$340,340. **ACTION: DETENTION CENTER, PROCUREMENT, BUDGET, FINANCE, LEGAL**
- o. Contract Renewal for Detention Center Food Services [A&F]:** Council approved the negotiations and renewed the contract to ABL Food Services Inc. for the approximate amount of \$1,532,424. **ACTION: DETENTION CENTER, PROCUREMENT, BUDGET, FINANCE, LEGAL**
- p. [Removed from Consent] Contract Renewal for Detention Center HVAC System [A&F]:** Council approved the request to renew the contract with W.B. Guimarin & Company in the amount of \$159,075. **ACTION: DETENTION CENTER, PROCUREMENT, BUDGET, FINANCE, LEGAL**

- q. **Contract Renewal for Detention Center Medical Services [A&F]:** Council renewed the contract for medical services with Correct Care Solutions in the amount of \$3,843,271. **ACTION: DETENTION CENTER, PROCUREMENT, BUDGET, FINANCE, LEGAL**
  - r. **[Removed from Consent] COPS Hiring Program Grant – Sheriff’s Department [A&F]:** Council approved the request to approve the additional personnel request for the COPS Hiring Program. Council stated that there may have to be a tax increase to fund these positions once the grant ends. **ACTION: ADMINISTRATION, SHERIFF, GRANTS, BUDGET, FINANCE**
  - s. **[Removed from Consent] An Ordinance establishing a policy for grant administrative fees and establishing the amount of such fees [A&F, First Reading]:** Council approved the request to allocate administrative fees for internal grants and charge outside application and administrative fees to organizations for pass-through grants, and gave first reading approval to the corresponding ordinance. **ACTION: ADMINISTRATION, GRANTS, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL**
  - t. **[Removed from Consent] Richland County Freedom of Information Policy [A&F]:** Council deferred this item to the July 20, 2010 Council Meeting. **ACTION: ADMINISTRATION, PUBLIC INFORMATION, LEGAL**
  - u. **[Removed from Consent] Same Sex Interpersonal Violence Support Group Grant [A&F]:** Council deferred this item to the July 20, 2010 Council Meeting. Staff is to provide the funding source for the match in the agenda packet. **ACTION: ADMINISTRATION, SHERIFF, GRANTS, BUDGET, FINANCE**
  - v. **Sheriff’s Vehicles Bond Ordinance [A&F, First Reading]:** Council gave first reading approval to the ordinance authorizing the issuance and sale not to exceed \$2,000,000 in general obligation bonds for the purchase of vehicles for use by the Sheriff’s Department for fiscal year 2010-2011. **ACTION: ADMINISTRATION, SHERIFF, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**
3. **Report of Rules and Appointments Committee**
- a. **Notification of Vacancies**
    - i. **Community Relations Council – 2 [Donna Slack Bulger, July 24, 2010\*; Prentiss McLaurin, July 24, 2010\*]:** Advertise. **ACTION: CLERK OF COUNCIL**

**b. Notification of Appointments**

- i. Accommodations Tax Committee – 2 [Rick Patel] Advertise. ACTION: CLERK OF COUNCIL**
- ii. Appearance Commission, Landscaper / Landscape Architect – 1 [No applications were received] Advertise. ACTION: CLERK OF COUNCIL**
- iii. Building Codes Board of Adjustments and Appeals – 1 [No applications were received] Advertise. ACTION: CLERK OF COUNCIL**
- iv. Business Service Center Appeals Board – 1 [No applications were received] Advertise. ACTION: CLERK OF COUNCIL**
- v. East Richland Public Service Commission – 2 [William H. Hancock; Robert D. Murphy; Yves Naar]: Murphy and Naar were appointed. ACTION: CLERK OF COUNCIL**
- vi. Historic Columbia Foundation – 1 [No applications were received] Advertise. ACTION: CLERK OF COUNCIL**
- vii. Internal Audit Committee – 2 [No applications were received] Advertise. ACTION: CLERK OF COUNCIL**
- viii. Midlands Workforce Development Board – 6 [Reginald Abraham, Leonard Cooper, Fredrick B. Davis, Sr., Yvonne H. Manley, Rosalind Miller, and Joann Richardson]: This item remains in Committee pending a legal opinion. ACTION: CLERK OF COUNCIL, LEGAL**
- ix. Richland County Public Library Board – 6 [Gail Baker Anastasion, Teresa Arnold, John David Baker, Nathaniel A. Barber, George C. Johnson, Gina Carter, Rox W. Pollard, Jr., Alethia Parr Rearden, Joseph Ladson Taylor, and Ida W. Thompson]: Baker, Barber, Johnson, Pollard, Rearden, and Thompson were appointed. ACTION: CLERK OF COUNCIL**

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

- i. Bonding attorneys are to limit their presentation to answering the question asked and only providing the facts of a specific bond. They are not to provide support for or forecast possible future need for the item the bond is being sought. No personal**



**opinion or interjection is to be given. [Malinowski]** This item remains in Committee. **ACTION: CLERK OF COUNCIL**

**ii. Financial System Access to Council members:** This item remains in Committee. **ACTION: CLERK OF COUNCIL**

- 4. A Resolution to Appoint and Commission Duste Beckrodge Johnson as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, ANIMAL CARE**
- 5. A Resolution to Appoint and Commission Bernard Quinton Epps as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolution. **ACTION: CLERK OF COUNCIL, PUBLIC WORKS**
- 6. A Resolution to Appoint and Commission Kecia D. Lara, Branden L. Wade, Larry B. Kleine, and Scott A. Miller as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County:** Council approved the Resolutions. **ACTION: CLERK OF COUNCIL**
- 7. Pine Lake Spillway – Emergency Procurement:** Council approved the emergency procurement. **ACTION: PUBLIC WORKS, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- 8. Conservation Commission Proposed Bid on Fort Jackson parcels to protect Gills Creek:** Executive Session item.
- 9. Allow the Richland County Administrator to sign off on County entitlement and formula grant award paperwork when received ensuring that the County meets timelines set by the funding agencies to accept grant awards. Once the Award letters are received, an ROA that includes a funding source will be routed through the Committee, three Council readings and a public hearing process to gain approval. By following this procedure, the County avoids any potential forfeit of grant funds due to the length of the match approval process.** Council approved the item. Further description of the item is contained below. **ACTION: ADMINISTRATION, GRANTS, BUDGET, FINANCE**

**Formula and entitlement grants are received each year by the County.**

**FY 11 Richland County Entitlement and Formula Grants**

Grant	Grant Funds	County Match	Award Date (Estimated)
DHEC EMS Grant in Aid	\$100,000	\$5,500	July
HUD Home	\$641,092	\$144,246	Activity Plan is due in



Investment			August, Award due in September
Criminal Domestic Violence Court	\$85,606	\$28,786	July - August
FAA – Obstruction Removal	\$377,150	\$9,925	July
FAA – Gate and Security Enhancements Phase II*	\$174,000	\$4,350	July
Hispanic Outreach Advocacy	\$48,750	\$16,250	August
Total	\$1,426,598	\$209,057	

**Non-formula grants must go through the full ROA process and are not covered by this motion.**

**\*Since the FY11 budget process, the airport’s FAA grant request for Land Acquisition was switched by the FAA to Gate and Security Enhancements Phase II in order to complete a project that began in FY10.**

**9. Citizens’ Input:** No one spoke.

**10. Executive Session**

- a. Conservation Commission proposed bid on Fort Jackson parcels to protect Gills Creek:** Council authorized the Conservation Commission to place a bid on approximately 14 acres currently held by Fort Jackson. **ACTION: ADMINISTRATION, CONSERVATION COMMISSION, BUDGET, FINANCE, LEGAL**
- b. Attorney General’s Opinion regarding Voter Registration:** This item was forwarded to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL, LEGAL**
- c. Mallory vs. Richland County:** This item was received as information.

**11. Motion Period**

- a. That Richland County enact a tree canopy ordinance and inventory to preserve and enhance the number of trees in Richland County [Malinowski]:** Forwarded to the D&S Committee. **ACTION: ADMINISTRATION, LEGAL, PLANNING, CONSERVATION COMMISSION**
- b. Richland County shall have in place a grease trap ordinance that all commercial food preparation customers using Richland County sewer**

systems shall have grease traps inspected and pumped out every two (2) months or sooner. If Richland County has one then it should be followed. [Malinowski] Forwarded to the D&S Committee. **ACTION: ADMINISTRATION, LEGAL, UTILITIES**

- c. **Resolutions: Ray Tanner; Mayor Bob Coble; Mayor Steve Benjamin [Kennedy]:** Council unanimously approved the Resolutions. A reception has tentatively been scheduled for July 20 to honor these recipients. The Chair and Vice Chair are to work with the Clerk on budget. **ACTION: CLERK OF COUNCIL**

**12. Adjournment:** Council adjourned at 7:32 p.m.