

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

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

May 5, 2009

6:00 PM

Call to Order: Livingston

Invocation: Smith

Pledge of Allegiance: Smith

Presentations:

- a. **Proclamation Honoring "National Public Works Week":** Interim Public Works Director, David Hoops, presented Council with information on Public Works Week, and thanked his employees for a job well done.
- b. **EMS Recognition:** Mr. Pope, County Administrator, presented Michael Byrd, EMS Director, with an award for the Best EMS System (Large) in the State.
- c. **Introduction of Staff Member:** Mr. Pope introduced new employee Kevin Etheridge, Budget Manager.

Citizens' Input: No one spoke.

Approval of Minutes

Regular Session: April 21, 2009: The minutes were approved as amended.

Zoning Public Hearing: April 28, 2009: The minutes were approved as amended.

Adoption of Agenda: The agenda was adopted as submitted.

Report of the County Attorney for Executive Session Items

- a. **Farmers' Market Update**

- b. **Fire Contract**
- c. **Purchase of Property for Public Safety Facility**
- d. **Personnel Matter**
- e. **Pending Litigation: McEntire vs. Richland County and FN Manufacturing vs. Richland County**

Report of the County Administrator

- a. **Community Development Update:** Ms. Valeria Jackson updated Council on Community Development initiatives, including Fair Housing Month, Community Development Week, National Home Ownership Month, Stimulus funding, and the new departmental logo.
- b. **Farmers' Market Update:** Mr. Pope informed Council that an update would be given during Executive Session.
- c. **Fire Contract:** Mr. Pope informed Council that a contract extension request had been forwarded to the City of Columbia, and that he hopes to have the extension approved within the next few weeks.
- d. **FY 10 Budget Update: Upcoming Budget Work Sessions:** Mr. Pope informed Council that he had met with the Department Directors on Monday, and had presented them with his recommendations for their departments. He also reminded Council of the upcoming Budget Work Session scheduled for Thursday, May 7 from 4:00 pm – 6:00 pm.

Report of the Clerk of Council:

- a. **City Year:** The City Year Benefit Gala (Ripples of Hope) is scheduled for May 27th at 701 Whaley Street.
- b. **MWDB Luncheon:** The Midlands Workforce Development Board Employer Recognition Luncheon is May 27 at Embassy Suites at noon.

Report of the Chairman

- a. **Personnel Matter:** Removed.
1. **Public Hearing Item**
 - 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 related thereto: No one spoke.

2. Approval of Consent Items

- 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 related thereto [THIRD READING]:** Council gave third reading approval to the ordinance. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, TREASURER, AUDITOR, ASSESSOR**
- b. **[REMOVED FROM CONSENT] An Ordinance to adopt the “2009 Richland County Comprehensive Plan” [THIRD READING]:** Council deferred this item. A work session will be held May 12 immediately following the Budget Work Session. **ACTION: ADMINISTRATION, PLANNING, LEGAL, CLERK OF COUNCIL**
- 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 agreement between Richland County, South Carolina and Trane U.S. Inc. (formerly named American Standard Inc.) and matters relating thereto [SECOND READING]:** Council gave second reading approval to the ordinance and fee agreement. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, TREASURER, AUDITOR, ASSESSOR, BUDGET, FINANCE**
- d. **An ordinance amending the Richland County Code of Ordinances, Chapter 26 Land Development, so as to make corrections to several paragraph numbers referenced therein [SECOND READING]:**

Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- e. **An ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-103, AP Airport Height Restrictive Overlay District, so as to correctly identify Jim Hamilton-L.B. Owens Airport [SECOND READING]:** Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- f. **Request to approve a friendly condemnation for the purpose of obtaining a sewer easement at 1416 Heyward Brockington Road (TMS #9504-04-03):** Council approved the friendly condemnation. **ACTION: LEGAL, CLERK OF COUNCIL, UTILITIES**
- g. **Request to authorize the negotiation of a contract for C&D Transportation Services to the most qualified service provider:** Council approved the negotiation of a contract with the most qualified service provider. **ACTION: ADMINISTRATION, PROCUREMENT, PUBLIC WORKS, SOLID WASTE, LEGAL, BUDGET, FINANCE**
- h. **[REMOVED FROM CONSENT] Request to approve amendments to the Richland County Neighborhood Improvement Community Matching Grants Program:** Council approved the amendments to the Neighborhood Improvement Matching Grants Program. The ad in the paper will appear on May 22, and the new application deadline will be June 8, 2009. **ACTION: PLANNING, BUDGET, FINANCE**
- i. **Request to authorize the negotiation of a contract with Loveless C&D Landfill for C&D Disposal services:** Council approved the contract with Loveless and Loveless C&D Landfill. **ACTION: ADMINISTRATION, PROCUREMENT, SOLID WASTE, LEGAL, BUDGET, FINANCE**
- j. **Intergovernmental Agreement between Richland County and the Town of Blythewood relating to the acceptance and maintenance of public roads and associated drainage systems:** Council approved the Intergovernmental Agreement between Richland County and the Town of Blythewood. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, PUBLIC WORKS, STORMWATER**
- k. **Request to approve a contract in the amount of \$1,466,434.19 to ABL Food Service for food service management at the Alvin S. Glenn Detention Center:** Council approved the contract with ABL Food Service. **ACTION: DETENTION CENTER, PROCUREMENT, LEGAL, BUDGET, FINANCE**

- l. Request to approve a contract in the amount of \$3,571,090.93 to Correct Care Solutions for prison health services at the Alvin S. Glenn Detention Center:** Council approved the contract with Correct Care Solutions. **ACTION: DETENTION CENTER, PROCUREMENT, LEGAL, BUDGET, FINANCE**
- m. Request to approve a contract in the amount of \$259,201.00 to Honeywell, Inc. for full maintenance coverage on the fire and security system at the Alvin S. Glenn Detention Center:** Council approved the contract with Honeywell, Inc. **ACTION: DETENTION CENTER, PROCUREMENT, LEGAL, BUDGET, FINANCE, PUBLIC WORKS, FACILITIES AND GROUNDS**
- n. Request to approve a contract with PayTel Communications for inmate telephone services at the Alvin S. Glenn Detention Center:** Council approved the contract with PayTel Communications. **ACTION: DETENTION CENTER, PROCUREMENT, LEGAL, BUDGET, FINANCE, INFORMATION TECHNOLOGY**
- o. Request to approve a contract in the amount of \$143,748.00 to W. B. Guimarin & Company for heating and air conditioning system maintenance at the Alvin S. Glenn Detention Center:** Council approved the contract with W.B. Guimarin & Company. **ACTION: DETENTION CENTER, PROCUREMENT, LEGAL, BUDGET, FINANCE, PUBLIC WORKS, FACILITIES AND GROUNDS**
- p. Request to approve funding from undesignated Hospitality Tax funds for repairs to the Hampton-Preston Mansion [FIRST READING]:** Council approved the request to use \$15,000 in undesignated Hospitality Tax funds for emergency repairs to the Hampton-Preston Mansion. Council also gave first reading approval to a budget amendment for up to \$100,000 from the Hospitality Tax Fund Balance for additional repairs to the mansion based on a full assessment and cost evaluation. **ACTION: ADMINISTRATION, BUDGET, FINANCE, LEGAL, CLERK OF COUNCIL, PUBLIC WORKS, FACILITIES AND GROUNDS**
- q. Request to approve a contract with Palmetto Posting, Inc. for the purpose of posting properties with delinquent ad valorem property taxes:** Council approved the contract with Palmetto Posting, Inc. **ACTION: TREASURER, PROCUREMENT, BUDGET, FINANCE, LEGAL**
- r. Request to authorize the County Administrator to proceed with negotiations for the purchase of a 17,000 square foot public safety facility on 2.89 acres on Pineview Drive:** Council authorized the County

Administrator to proceed with the purchase of the facility. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, INFORMATION TECHNOLOGY, PUBLIC WORKS, FACILITIES AND GROUNDS**

- s. **[REMOVED FROM CONSENT] Request to approve a construction contract with the lowest responsive bidder for renovation at the Township Auditorium:** Council approved the contract with the lowest responsive and responsible bidder, Contract Construction, Inc. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, BUDGET, FINANCE, PUBLIC WORKS, FACILITIES AND GROUNDS**
- t. **Request to approve a budget revision to the VAWA Criminal Domestic Violence Grant:** Council approved the amendments to the VAWA Criminal Domestic Violent Grant budget. **ACTION: ADMINISTRATION, COURT ADMINISTRATION, BUDGET, FINANCE**

3. Third Reading Items

- a. **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:** Council deferred the item. Further, “Ms. Smith made a substitute motion, seconded by Ms. Hutchinson, to refer this item to the Development Round Table and request that the Richland County Council of Neighborhoods hold a minimum of three public forums to gather public input on this issue between the time that the Development Round Table makes its recommendation and it is forwarded to the Planning Commission for consideration. A discussion took place. Ms. Dickerson made a friendly amendment to hold four public hearings. Ms. Smith and Ms. Hutchinson accepted the friendly amendment.” **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, PUBLIC WORKS, STORMWATER, PLANNING**
- b. **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”:** Council deferred the item to the May 19, 2009 Council meeting. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, HUMAN RESOURCES**

4. Second Reading Item

- a. **An ordinance amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to delete Section 26-184, Parks**

and Open Space, and to provide for the use of the Green Code's flexibility in the various districts: Council gave second reading approval to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

5. First Reading Items

- a. **Fiscal Year 2009 – 2010 Budget Ordinance (By Title Only):** Council gave first reading, by title only, to the FY 10 Budget Ordinance. **ACTION: ADMINISTRATION, BUDGET, FINANCE, CLERK OF COUNCIL, LEGAL**
- b. **Fiscal Year 2009 – 2010 Millage Ordinance (By Title Only):** Council gave first reading, by title only, to the FY 10 Millage Ordinance. **ACTION: ADMINISTRATION, BUDGET, FINANCE, CLERK OF COUNCIL, LEGAL**

6. Report of the Development and Services Committee

- a. **Lower Richland property purchase and potential usage:** Council directed staff “to provide information on the potential financial value of wetlands mitigation bank credits associated with the following: “Carolina Bay (Mistletoe Bay)”, “Cabin Branch,” and adjacent sites (approximately 6.7 acres between the Carolina Bay and Cabin Branch and approximately 13.9 acres in Cabin Branch, in addition to and contiguous to the 124 acres in Cabin Branch) with a sufficient amount buffer, for the purpose of developing a mitigation bank and environmental sensitive lite recreational activity areas and facility.” **ACTION: ADMINISTRATION**

7. Report of the Administration and Finance Committee

- a. **Request to approve a funding request in the amount of \$500,000 from the South Carolina Hospitality Association for marketing and tourism promotions in unincorporated Richland County:** Council approved the request. **ACTION: ADMINISTRATION, FINANCE, BUDGET**

8. Report of the Rules and Appointments Committee

- a. **Notification of Vacancies**
 - 1. **Building Codes Board of Adjustments & Appeals: 1**
(Advertise) **ACTION: CLERK OF COUNCIL**
- b. **Notification of Appointments**

1. **Accommodations Tax Advisory Committee: 2** (Advertise)
ACTION: CLERK OF COUNCIL
2. **Building Codes Board of Adjustments & Appeals: 1**
(Advertise) **ACTION: CLERK OF COUNCIL**
3. **Employee Grievance Committee: 1;** William Young was appointed to the Committee. **ACTION: CLERK OF COUNCIL**
4. **Historic Columbia Foundation: 1** (Advertise) **ACTION: CLERK OF COUNCIL**
5. **Hospitality Tax Committee: 1;** Scott McCarthy was appointed. **ACTION: CLERK OF COUNCIL**
6. **Internal Audit Committee: 1** (Advertise) **ACTION: CLERK OF COUNCIL**

c. **Items Requiring Action**

1. **Council Individual Discretionary Accounts:** No action.
2. **Electronic Participation:** Approved as presented. **ACTION: CLERK OF COUNCIL, LEGAL**
3. **Revised Application Form:** No action.
4. **Richland County Public Library Board request for Council to suspend rules regarding the regular rotation and appointment of their board members:** In effort to enable a smooth transition, due to the appointment of a new executive director, Council recommended no action be taken at this time to advertise expiring board member positions for those wishing to continue to serve. **ACTION: CLERK OF COUNCIL**
5. **Richland County / City of Columbia Animal Care Advisory Committee Appointments: 2 positions:** Advertise. **ACTION: CLERK OF COUNCIL**
6. **Confidentiality Agreement:** It was stated that a draft Confidentiality Agreement would be emailed to Council for review. The document will be used as a tool to assist in preventing the dissemination of confidential information that is discussed by the grievance committee members as part of the County's grievance process. The document has been reviewed by the Rules Committee. **ACTION: LEGAL, CLERK OF COUNCIL**

9. **Report of the Stimulus Ad Hoc Committee**
 - a. **Request to authorize the Procurement Director to negotiate and award a contract with the lowest responsible and responsive bidder in an amount not to exceed the funds available under the grant award for Taxiway and Apron Rehabilitation at Hamilton-Owens Airport:** Council authorized the Procurement Director, with the consent of the County Administrator, to negotiate and award a contract with the lowest responsible and responsive bidder in an amount not to exceed the funds available under the grant award for Taxiway and Apron Rehabilitation at Hamilton-Owens Airport. **ACTION: ADMINISTRATION, PROCUREMENT, LEGAL, BUDGET, FINANCE**

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

11. **Executive Session:**
 - a. **Farmers' Market Update:** Council directed the Administrator to proceed with legal counsel as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL**

 - b. **Fire Contract:** Not discussed.

 - c. **Purchase of Property for Public Safety Facility:** Received as information.

 - d. **Personnel Matter:** Not discussed.

 - e. **Pending Litigation: McEntire vs. Richland County and FN Manufacturing vs. Richland County:** Received as information.

12. **Motion Period**
 - a. **Rule regarding proposals or studies not commissioned by Council [Livingston]:** Forwarded to the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

 - b. **Resolution recognizing four members of the Tuskegee Airmen [Livingston]:** Approved. **ACTION: CLERK OF COUNCIL**

13. **Adjournment:** Council adjourned at 8:44 p.m.