

RICHLAND COUNTY GOVERNMENT



Office of the County Administrator

**COUNTY ADMINISTRATOR'S REPORT OF COUNCIL ACTIONS
REGULAR SESSION COUNCIL MEETING
SEPTEMBER 9, 2008
6:00 PM**

Call to Order: McEachern

Invocation: Jeter

Pledge of Allegiance: Jeter

Citizens' Input: No one spoke.

Approval of Minutes

Special Called: July 22, 2008: Approved as submitted.

Zoning Public Hearing: July 22, 2008: Approved as submitted.

Adoption of Agenda: Adopted as amended. The Public Hearing items are 8a and 8b, not 7a and 7b as listed in the agenda.

Report of the County Attorney for Executive Session Items

- a. Farmers' Market Update**
- b. Palmetto Utilities Update**
- c. Lower Richland Feasibility Study**
- d. Second Appraisal for Hopkins Property**
- e. Lower Richland Sewer Update**
- f. Broad River Sewer Update**
- g. Employee Grievances – 2 (If Council has any questions)**

h. City of Cayce Intergovernmental Agreements

Report of the County Administrator

- a. **Farmers' Market Update:** Mr. Pope stated that, per Council's direction, a declaratory judgment was filed, and that the parties were served. He stated that this item would be further discussed in Executive Session.
- b. **Palmetto Utilities Update:** Mr. Pope stated this item would be discussed in Executive Session.
- c. **Lower Richland Feasibility Study:** Mr. Pope stated this item would be discussed in Executive Session.
- d. **Project Pet MOU Update:** Mr. Pope informed Council that Lexington County Council and Richland County Council have both approved moving forward with Project Pet for the No-Kill Animal Shelter. Both counties are working to finalize the MOU and operational agreement. Updates will be presented to Council when further information is available. **ACTION: ADMINISTRATION, LEGAL, ANIMAL CARE, PROCUREMENT, BUDGET, FINANCE**
- e. **Second Appraisal for Hopkins Property:** Mr. Pope stated this item would be discussed in Executive Session.
- f. **Recreation Commission Ad Hoc Committee Meeting:** Mr. Pope informed Council that the ad hoc committee had met several times over the past month, and that those recommendations were going to be presented later during the council agenda.
- g. **Valeria Jackson Introduction:** Mr. Pope introduced Ms. Jackson as the new Director of Community Development. Richland County welcomes Ms. Jackson to our organization!
- h. **Lower Richland Sewer Update:** Mr. Pope stated this item would be discussed in Executive Session.
- i. **Broad River Sewer Update:** Mr. Pope stated this item would be discussed in Executive Session.
- j. **Employee Grievances—2:** Council upheld the Administrator's action. **ACTION: ADMINISTRATION, HUMAN RESOURCES**
- k. **State Budget Cuts:** Mr. Pope informed Council that approximately \$600,000 has been cut from the Local Government Fund. Mr. Pope stated that staff is looking at our revenue projections, and considering several options including

delaying purchases, using a fund balance appropriation, etc. Further information will be brought back once more specific details are obtained.

ACTION: ADMINISTRATION, BUDGET, FINANCE

- l. Richland County Public Library:** Mr. Pope informed Council that David Warren, Executive Director of the Richland County Public Library, is retiring, effective April 3, 2009.

Report of the Clerk of Council

- a. Chamber of Commerce Annual Gala, September 18th:** Ms. Finch requested Council members let her know if they would like to attend.
- b. Farewell Event for Outgoing Council Members:** Ms. Finch stated that she will begin preparations for this event soon.
- c. Green is Good Conference:** Ms. Finch stated that a sponsorship request had been received.
- d. Beautification Day / Special Services:** Ms. Finch extended an invitation to Council on behalf of George Wilson for Beautification Day, to be held September 20 at Midlands Technical College Northeast Campus.
- e. Columbia World Affairs Council:** Council has been invited to attend the Columbia World Affairs Council awards ceremony on October 23 at the Columbia Marriott.

Report of the Chairman

- a. City of Cayce Intergovernmental Agreement:** Mr. McEachern stated this item would be discussed in Executive Session.
- b. Schedule Meeting with City of Columbia:** Mr. McEachern stated that this item would be discussed during the Motion Period.
- c. Homeless Center:** Mr. Pearce informed Council that he was flying to Miami on September 10 to visit a homeless center. He will report his findings to Council.

Open / Close Public Hearing Items

1a, 1b, 2a, 7a, 7b, 8a, 8b No one spoke.

Approval of Consent Items

1a, 2b, 2c, 2d, 2e, 2f, 2g Stricken items were removed from the Consent Agenda. The remaining consent items were approved.

1. Third Reading Items

- a. An Ordinance amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address rates set for landfills [PUBLIC HEARING] [CONSENT]:** Council referred the item to the September A&F Committee. **ACTION: ADMINISTRATION, BUSINESS SERVICE CENTER, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
- b. Bailey Bill Ordinance Amendments [PUBLIC HEARING]:** Council approved the ordinance as amended. The 10 year incentive was approved, as recommended by the Economic Development Committee. Item (d) “Substantive changes,” on page 31 of the agenda, was amended to reflect “County Administrator or his designee” in the place of “County” in order to remain consistent with the rest of the ordinance. Staff was also requested to bring back a legal opinion of the staff revisions on page 33 regarding the sale or transfer of one or more portions of the property. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, AUDITOR’S OFFICE, ASSESSOR’S OFFICE, TREASURER’S OFFICE, PLANNING**
- c. An Ordinance authorizing the Recreation Commission of Richland County on behalf of the Recreation District of Richland County to issue General Obligation Bonds in the principal amount of not exceeding \$45,000,000; and other matters relating thereto:** Council gave third reading to the ordinance that was presented at the Council meeting in the amount of \$50,000,000, not to exceed 3 mils, or \$12 per \$100,000 home. **ACTION: ADMINISTRATION, LEGAL, CLERK OF COUNCIL, BUDGET, FINANCE**

2. Second Reading Items

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 16 , Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to address business revenues generated by interstate commerce [PUBLIC HEARING]:** Council gave second reading to the ordinance and referred the item to the September A&F Committee. **ACTION: ADMINISTRATION, BUSINESS SERVICE CENTER, LEGAL, BUDGET, FINANCE, CLERK OF COUNCIL**
- b. 08-09MA
Oliver Mack
RU to RC (2 Acres)
Construction Garage & Office
21300-01-02(p)**

6108 Bluff Rd. [CONSENT]: Council gave second reading approval to the zoning map amendment changing the zoning designation from RU to RC. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- c. **08-21MA**
Richard Gates
RM-HD/GC to OI (5.11 Acres)
Private School & Church
16910-02-06 & 07
Off Decker Blvd. near Woodfield Pk. [CONSENT]: Council gave second reading approval to the zoning map amendment changing the zoning designation from RM-HD/GC to OI. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- d. **08-22MA**
Village at Sandhills
C-3 to C-1 & C-1 to C-3 (.25 Acres)
Zoning Line Adjustment
22900-02-09(p)
Village at Sandhills Phase 3 [CONSENT]: Council gave second reading approval to the zoning map amendment changing the zoning designation from C-3 to C-1 & C-1 to C-3. **ACTION: PLANNING, LEGAL, 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; Subsection (D), Signs Exempt from Permit Requirements; Paragraph (4), Political Signs [CONSENT]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- f. **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; Paragraph (74), Warehouses (Self-Storage), so as to delete the requirement of a fence or wall around the perimeter of the development [CONSENT]:** Council gave second reading to the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

- g. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses with Special Requirements, and Special Exceptions; “Business, Professional and Personal Services” and “Institutional, Educational and Civic Uses” of Table 26-V-2.; and “Recreational Uses” of Table**

26-V-2.; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements, and Section 26-152, Special Exceptions; so as to permit certain child day cares (six or less) with special requirements and to remove the special exception requirements for tattoo facilities in the GC General Commercial Districts and to permit certain clubs and lodges as a special exception in the rural zoning districts [CONSENT]: Council gave second reading to the ordinance, but requested amendments at third reading regarding lodges (page 101). Council wanted staff recommendations regarding buffers, setbacks, etc. for lodges in order to make this item consistent with the remainder of the ordinance. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**

3. Report of the Development and Services Committee

- a. Request to approve a contract for the purpose of undertaking petroleum and hazardous substance Brownfield assessments at sites identified throughout the county (Vendor recommendation will be presented to council for approval):** This item was deferred. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, PROCUREMENT**
- b. Request to approve a contract for the purchase of a new 911 system (Vendor recommendation will be presented to council for approval):** Council approved the contract award to Motorola. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, PROCUREMENT, EMERGENCY SERVICES, INFORMATION TECHNOLOGY**

4. Report of the Development and Services Committee [Deferred from Council Meeting held July 15, 2008]

- a. Request to approve an extension of the American Engineering Construction Management Contract, the Power Engineering Resident Contract Representative Contract, and the Power Engineering Consultant Services Contract for the purpose of completing the Broad River Waste Water Treatment Plant construction project:** This item was deferred. **ACTION: ADMINISTRATION**

5. Report of the Administration and Finance Committee

- a. Request to approve a Memorandum of Understanding with Southeast Rural Community Outreach Ministries in regards to a \$250,000 allocation from the Local Hospitality Tax Revenue Fund during Fiscal Year 2008-09:** Council approved the MOU as amended on pages 119 – 124. Council amended the MOU to include \$10,000 for Golf for

Goodness Sake and \$20,000 for Gospel Fest. Council clinched the vote on this item in order that SERCOM could receive funds for the upcoming Swamp Fest. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**

- b. Sheriff—Request to approve a grant for a full-time Cold Case Investigator, equipment, and supplies (1 new position, no match required):** Council gave first reading approval to a budget amendment in the amount of \$665,635 for items b – g. Council approved the matching funds and positions. The Sheriff has agreed to not request any new uniformed positions in the next three budget cycles unless a public safety crisis arises. **ACTION: ADMINISTRATION, SHERIFF, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**
- c. Sheriff—Request to approve a Community Oriented Policing Universal Hiring Program grant (10 new positions, and \$588,530 match required):** Council gave first reading approval to a budget amendment in the amount of \$665,635 for items b – g. Council approved the matching funds and positions. The Sheriff has agreed to not request any new uniformed positions in the next three budget cycles unless a public safety crisis arises. **ACTION: ADMINISTRATION, SHERIFF, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**
- d. Sheriff—Request to approve a grant for a Marijuana Analysis Technician (1 new position, no match required):** Council gave first reading approval to a budget amendment in the amount of \$665,635 for items b – g. Council approved the matching funds and positions. The Sheriff has agreed to not request any new uniformed positions in the next three budget cycles unless a public safety crisis arises. **ACTION: ADMINISTRATION, SHERIFF, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**
- e. Sheriff—Request to approve a grant for motorcycle safety and enforcement (2 new positions and \$43,595 match required):** Council gave first reading approval to a budget amendment in the amount of \$665,635 for items b – g. Council approved the matching funds and positions. The Sheriff has agreed to not request any new uniformed positions in the next three budget cycles unless a public safety crisis arises. **ACTION: ADMINISTRATION, SHERIFF, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**
- f. Sheriff—Request to approve a Sex Offender Registry Enhancement and Enforcement grant (1 new position and \$33, 510 match required):** Council gave first reading approval to a budget amendment in the amount of \$665,635 for items b – g. Council approved the matching funds and positions. The Sheriff has agreed to not request any new uniformed

positions in the next three budget cycles unless a public safety crisis arises. **ACTION: ADMINISTRATION, SHERIFF, CLERK OF COUNCIL, LEGAL, BUDGET, FINANCE**

- g. Sheriff—Request to approve a School Resource Officer grant (Continuation of 1 position, no match required):** Council gave first reading approval to a budget amendment in the amount of \$665,635 for items b – g. Council approved the matching funds and positions. The Sheriff has agreed to not request any new uniformed positions in the next three budget cycles unless a public safety crisis arises. **ACTION: ADMINISTRATION, SHERIFF**
- 6. Report of the Economic Development Committee**
- a. Project CAGE: Governor’s Set-Aside Fund Grant Administration:** Council authorized the grant administration of the Project CAGE Governor’s Set-Aside Fund grant. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
 - b. Economic Development Strategic Plan Contract Award:** Council awarded the contract to Genesis Consulting Group. **ACTION: ADMINISTRATION, BUDGET, FINANCE, PROCUREMENT, LEGAL**
- 7. Report of the Rules and Appointments Committee**
- I. Notification of Vacancies on Boards, Commissions, and Committees**

 - a. Airport Commission—2**
 - b. Community Relations Council—1**
 - c. Planning Commission—1**
 - d. Township Auditorium Board—2**

Council voted to advertise for these positions. **ACTION: CLERK OF COUNCIL**
 - II. Notification of Appointments to Boards, Commissions, and Committees**

 - a. Accommodations Tax Committee—1:** Readvertise. **ACTION: CLERK OF COUNCIL**
 - b. Airport Commission—2:** Pulliam was appointed. Legal was requested to review Dabney’s service on the SC Aeronautics Board as it relates to his potential service on the Airport Commission. The Clerk’s Office is to inform Dabney of this issue. **ACTION: CLERK OF COUNCIL**

- c. **Board of Assessment Control—1:** Sharpe was appointed.
ACTION: CLERK OF COUNCIL
- d. **Central Midlands Council of Governments—1:** Letts was appointed. **ACTION: CLERK OF COUNCIL**
- e. **Community Relations Council—3:** Parker, Williams, and Jenkins were appointed. The remaining two applicants were forwarded for the one vacancy remaining on the council.
ACTION: CLERK OF COUNCIL
- f. **Internal Audit Committee—1:** Comfort was appointed.
ACTION: CLERK OF COUNCIL
- g. **Lexington/Richland Alcohol Drug Abuse Council—1:** Bouknight was appointed. **ACTION: CLERK OF COUNCIL**

III. Motion Period and Review of Policy for Motions Held in Committee for More than Six Months; Amendment to the Rule: This item was held in the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

IV: Jail Advisory Committee / Detention Center Commission: Per a legal opinion, it was advised that neither entity be created.

V: Electronic Participation: This item was held in the Rules and Appointments Committee. **ACTION: CLERK OF COUNCIL**

8. Public Hearing Items

- a. **Ordinance to amend Siemens Diesel Systems Technology FILOT:** No one spoke.
- b. **Ordinance to amend Siemens VDO Automotive Corporation FILOT**
No one spoke.

9. Lower Richland Feasibility Study Contract Award: Discussed in Executive Session.

10. Citizens' Input: No one spoke.

11. Executive Session

- a. **Farmers' Market Update:** The Administrator was authorized to spend up to his allowable amount using Hospitality Tax funds to pay for the legal fees.
ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE
- b. **Palmetto Utilities Update:** Staff was directed to contact Palmetto Utilities one last time regarding a first right of refusal. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE**

- c. **Lower Richland Feasibility Study:** Council approved the Lower Richland Property Feasibility Study contract award to Genesis Consulting Group. The scope is to be amended as discussed in Executive Session. **ACTION: ADMINISTRATION, LEGAL, BUDGET, FINANCE, PROCUREMENT**
- d. **Second Appraisal for Hopkins Property:** Council directed staff to inform Mr. Hopkins of their decision in Executive Session. **ACTION: ADMINISTRATION, LEGAL**
- e. **Lower Richland Sewer Update:** Received as information.
- f. **Broad River Sewer Update:** Received as information.
- g. **Employee Grievances – 2 (If Council has any questions):** No discussion was necessary.
- h. **City of Cayce Intergovernmental Agreements:** Council directed staff to approve the IGA with Cayce for the collection of taxes; to deny the IGA for the Stormwater / NPDES request; and continue to review the inmate per diem IGA request. **ACTION: ADMINISTRATION, LEGAL**

12. Motion Period

- a. **Ordinance to authorize a Development Agreement with Summit Contractors Group, Inc. (First Reading by Title Only) [MCEACHERN]:** Council gave the ordinance first reading by title only. The Planning Staff Attorney is to discuss this item with Mr. McEachern. **ACTION: PLANNING, LEGAL, CLERK OF COUNCIL**
- b. **Pioneer Bowl [MCEACHERN]:** Mr. McEachern is requesting \$10,000 in Hospitality Tax funds for this item. The request was forwarded to the October A&F Committee meeting. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
- c. **Black Expo [MCEACHERN]:** Mr. McEachern is requesting \$25,000 in Hospitality Tax funds for this item. The request was forwarded to the October A&F Committee meeting. **ACTION: ADMINISTRATION, BUDGET, FINANCE**
- d. **A Resolution Recognizing and Designating Decker Boulevard as Richland County's Official International Corridor [MONTGOMERY]:** Council approved the resolution. **ACTION: CLERK OF COUNCIL**
- e. **Budget Amendment / Millage Agencies [MONTGOMERY]:** Council gave first reading by title only to the budget amendment. **ACTION:**

**ADMINISTRATION, LEGAL, TREASURER, AUDITOR, BUDGET,
FINANCE, CLERK OF COUNCIL**

- f. Chamber of Commerce Gala:** Ms. Finch requested that Council inform her if they wish to attend.
 - g. Green is Good Conference:** Mr. Pope will bring back a funding recommendation for \$1,500. **ACTION: ADMINISTRATION**
 - h. City / County Meeting:** The Clerk's Office is to arrange this meeting. Staff is to prepare updated figures for the mass transit fee in advance of this meeting. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**
- 13. Adjournment:** Council adjourned at 11:00pm.