

**GREENVILLE COUNTY COUNCIL
COMMITTEE ON PUBLIC WORKS AND INFRASTRUCTURE
REGULAR MEETING
March 19, 2013
3:34 P.M.
County Square – Conference Room D**

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at County Square and made available to the newspapers, radio stations and television stations and concerned citizens.

COMMITTEE MEMBERS PRESENT:

CHAIRMAN, FRED PAYNE
VICE CHAIR, XANTHENE NORRIS
JOSEPH BALDWIN
JIM BURNS
BUTCH KIRVEN

COMMITTEE MEMBERS ABSENT:

None

OTHER COUNCIL MEMBERS PRESENT:

None

STAFF PRESENT:

PAULA GUCKER, ASSISTANT COUNTY ADMINISTRATOR FOR COMMUNITY PLANNING, DEVELOPMENT & PUBLIC WORKS
MARK TOLLISON, COUNTY ATTORNEY
KIM WUNDER, ASSISTANT COUNTY ATTORNEY
JUDY JAMES, ADMINISTRATIVE COORDINATOR
JOHN MCLEOD, BUILDING OFFICIAL
SKIP LIMBAKER, ZONING ADMINISTRATOR
KELLI MCCORMICK, DEPUTY ZONING ADMINISTRATOR
BRENDA JAMES, ASSISTANT TO THE DIRECTOR PLANNING & CODE COMPLIANCE DIVISION
TERESA BARBER, FIRE OFFICIAL
HERB YINGLING, BUILDING CODES

CALL TO ORDER:

Chairman, Fred Payne

INVOCATION:

Councilor, Butch Kirven

Item (3) Approval of the Minutes of Regular Meeting of PWI Committee for February 19, 2013

ACTION: Councilor Xanthe Norris moved to approve the minutes of the February 19, 2013 regular Public Works and Infrastructure Committee meeting.

By voice vote the motion carried unanimously by all Council Members present.

Item (4) Adoption of the Administrative Portions of the Collective Building Codes; Associated Appendix; Property Maintenance and Swimming Pool Codes

John McLeod, Building Official, addressed the committee and presented the administrative sections of the codes. The state mandates the adoption of the Codes and it is in process to go into effect July 1, 2013. The proposed ordinance was to adopt the administrative sections and to make all the administrative sections basically the same throughout all the Codes. In addition, the ordinance would adopt the Swimming Pool Codes, Property Maintenance Code and the Existing Building Code that were not mandated by the state.

ACTION: Councilor Butch Kirven made a motion to recommend Council approval of the Ordinance as presented and approval to hold a public hearing.

Councilor Jim Burns asked Mr. McLeod about the minimum requirements and specifically roof loads. Councilor Burns stated that he wanted to make sure that the public wouldn't misconstrue minimum requirements when it came to the safety of the buildings.

Mr. McLeod explained that due to snow loads, some areas required more than the minimum. The code sets the minimum requirements and engineers can increase that but it has to at least meet the minimum requirements.

Councilor Joe Baldwin asked if there had been collapsed structures in the county and if there have does the county inspect to see if they met the minimum standards.

Mr. McLeod stated that there had been seven or eight in the 25 years that he had been with the county. Some were older, fatigued buildings; and if a collapse occurs, an engineering study and report was ordered to determine what caused the collapse and what the recommended repairs would be.

Councilor Butch Kirven stated that he recalled the situation with the River Falls Fire Department building and when that roof collapsed and asked if that was caused by truss failure.

Mr. McLeod responded that he believed it was fatigue of the trusses. The building itself was previously used as a Church and in the early 80's when the fire department moved into the building the county required engineering documents so they could take the interior walls out to make the bays. Steel beams were put on the outside walls as a requirement from the structural engineer to insure that they were safe.

There being no additional discussion, by voice vote the motion carried unanimously by all Council Members present.

(Item 5) Proposed Commission of Code Enforcement Officers Zoning Administrator, Skip Limbaker and Deputy Zoning Administrator, Kelli McCormick

Paula Gucker, Assistant County Administrator for Community Planning, Development & Public Works, stated that it was with great pleasure that she requested the Committee's approval for the Commissioning of Mrs. Kelli McCormick and Mr. Skip Limbaker as Code Enforcement Officers. They both passed their Zoning Administration test with high colors and she was very proud of them.

Councilor Xanthe Norris asked if this was how this was usually done. Was it posted in-house or was it on the basis of how she felt it should be.

Mrs. Gucker stated that the commissioning of Code Enforcement Officers was based on the current job that they were doing and the requirements of that particular job. In this case both Mr. Limbaker and Mrs. McCormick took and passed the Zoning Administration test.

Councilor Norris asked if the staff that first talked to people when they came in for information were the same ones that might end up taking them before a magistrate. Councilor Norris stated that she would not want to be on the front advising and then later on the end penalizing.

Mrs. Gucker stated that typically in most jurisdictions where there was a department such as this, the zoning administration is not just the administration of the code if they are in violation; but they also work with the individuals who come in for rezoning, working through all the different stages of zoning from start to finish; from compliance to regulations.

Councilor Norris asked who did it before.

Mrs. Gucker stated that John McLeod was the Zoning Administrator before.

ACTION: Councilor Jim Burns made a motion to recommend Council approval of the proposed Commission of Code Enforcement Officers Skip Limbaker and Kelli McCormick.

By voice vote the motion carried unanimously by all Council Members present

(Item 6) Donation Box Requirements Ordinance

Mark Tollison, County Attorney, addressed the Committee and stated that this item was the result of requests from several Council Members who requested that staff come up with some mechanism for dealing with donation boxes. The issue had come up due to proliferation recently of non-descript donation boxes around the County. Some might say clothing donation or recycling clothing; some have identification of whose box it is and others do not. There had been an interest expressed in trying to come up with something to at least increase public awareness as to whose box it was so there was no confusion.

Mr. Tollison stated that the ordinance presented was very straight forward and simply said if you were going to locate a donation box or receptacle for people to donate clothing, footwear or household goods, then you need to permanently and prominently display on at least 2 places on that box, in bold print and large letters the name, physical business location address, other than a post office box, and telephone number of the individual, business or charity. There should also be some indication that donated items were not tax deductible or may be tax deductible. Mr. Tollison stated that this would help people identify who the donations were going to. Mr. Tollison stated that they did a lot of research on this issue and that this was a difficult ordinance to draft because of enforceability issues. They felt that this type of ordinance was a legitimate first step in identifying the boxes.

Mr. Tollison responded to a question from Chairman Payne that the draft they had would apply to all boxes attended and unattended.

Chairman Payne asked that in Section 1, where appropriate, they add the wording attended or unattended.

Councilor Baldwin stated that he was not familiar with this and asked what exactly was the ordinance trying to address.

Councilor Burns stated that they had gotten some information about these boxes and people believed they were donating to a not for profit. Some of these companies may be misrepresenting themselves and it was not clear who they were giving their donations to.

Councilor Baldwin asked if they could add if this was a nonprofit or a for profit organization.

Councilor Burns stated that was why they put the language in the ordinance that it may be tax deductible; the county cannot make a determination about the tax deductibility of a donation.

Mr. Tollison added that he and Assistant County Attorney Dean Campbell really grappled with that same issue. They started out looking at doing exactly what Councilor Baldwin was talking about but as they worked through it they wanted something that would be workable Mr. Tollison stated that if the Committee wished, staff could take the ordinance back and work on it some more.

Chairman Payne asked that Mr. Tollison add that the information would be on an additional "two" sides instead of "one" or it would be on a total of three sides.

ACTION: Councilor Xanthene Norris made a motion to recommend Council approval of the ordinance for 1st reading and a public hearing. Mr. Tollison was recognized and clarified that the approval would include the attended and unattended language, along with three sides change.

By voice vote the motion carried unanimously by all Council Members present.

(Item 7) Board and Commission Interviews and Nominations

a. **Recreation District (1 Vacancy)**

The following individuals appeared before the PWI Committee and gave their personal presentations.

1. Christine Schammel
2. Joel Vanderwood

ACTION: By ballot vote, the PWI Committee voted to send Joel Vanderwood forward to County Council.

b. **SCTAC, South Carolina Technology & Aviation Center Board (1 Vacancy)**

1. Henry McCullough

ACTION: Councilor Jim Burns moved to nominate Henry McCullough and forward to County Council.

By voice vote the motion carried by all Council Members present.

(Item 8) Requests and Motions

ACTION: There were no requests or motions.

(Item 9) Adjournment

ACTION: Councilor Jim Burns moved to adjourn at 4:10 p.m.

By voice vote the motion carried by all Council Members present.

Respectfully Submitted,

Judy C. James,
Administrative Coordinator