RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA

JANUARY 6, 2015
6:00 PM

CALL TO ORDER	**THE HONORABLE NORMAN JACKSON**
INVOCATION	**THE HONORABLE JULIE-ANN DIXON**
PLEDGE OF ALLEGIANCE	**THE HONORABLE JULIE-ANN DIXON**

Election Of Chair

1. Election of Chair

Election Of Co-Chair

2. Election of Vice Chair

Selection Of Seats

3. Selection of Seats:

3.1 SEATING: At the first meeting in January after the election and seating of the Chair and Vice-Chair, Council members shall select their seats based first on seniority in years of continuous service and then in alphabetical order.

LIVINGSTON
PEARCE
DICKERSON
JETER
JACKSON
MALINOWSKI
MANNING
WASHINGTON
ROSE
DIXON
RUSH

Approval Of Minutes

4. Regular Session: December 9, 2014 **[PAGES 7-15]**

5. Zoning Public Hearing: December 16, 2014 **[PAGES 16-19]**

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

Citizen's Input

6. For Items on the Agenda Not Requiring a Public Hearing

Report Of The County Administrator

Report Of The Clerk Of Council

7. a. January 27, 2015 - Zoning Public Hearing Cancellation

Report Of The Chairman

Citizen's Input

8. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

9. a. Amend the duties of the Transportation Penny Advisory Committee (TPAC) to similar duties of the Planning Commission as a recommending body on any changes or addition to projects pertaining to the Penny Tax Program **[JACKSON]**

   b. Resolution recognizing South Carolina's "Mr. Football", Dutch Fork Running Back, Matt Colburn **[MALINOWSKI]**

   c. To direct the County Administrator to provide a detailed timeline account on how the library's request for lease approval was established and made it to the Council agenda. (i.e. Who made the recommendation to place it on the agenda, who in the Clerk's Office received the notification and when? Were the Library Liaisons and District Representative contacted prior to placing this item on the agenda?) **[DIXON]**

Adjournment

Special Accommodations and Interpreter Services

Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

Richland County Council Request of Action

Subject

Election of Chair

Richland County Council Request of Action

Subject

Election of Vice Chair

Richland County Council Request of Action

Subject

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RUSH

Richland County Council Request of Action

Subject

Regular Session: December 9, 2014 **[PAGES 7-15]**

REGULAR SESSION MINUTES

December 9, 2014
6:00 PM
County Council Chambers

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Mr. Jackson called the meeting to order at approximately 6:01 PM

INVOCATION

The Invocation was given by the Honorable Greg Pearce

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Greg Pearce

PRESENTATION OF RESOLUTIONS

Proclamation Honoring Terri Butts on being bestowed the 2015 California Casualty Award for Teaching Excellence [DIXON] – Ms. Dixon presented a proclamation to Ms. Butts.

Resolution Honoring Richland County Soil & Water Chairman John Green [ROSE] – Mr. Rose presented a resolution honoring Mr. Green's service to Richland County to Mr. Green's family.

APPROVAL OF MINUTES

Regular Session: December 2, 2014 – Ms. Dickerson moved, seconded by Mr. Pearce, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Ms. Dickerson moved, seconded by Mr. Livingston, to adopt the agenda as published. The vote in favor was unanimous.

Council Members Present

Norman Jackson, Chair
Joyce Dickerson, Vice Chair
Julie-Ann Dixon
Damon Jeter
Paul Livingston
Bill Malinowski
Jim Manning
Greg Pearce
Torrey Rush
Seth Rose
Kelvin E. Washington, Sr.

Others Present:

Tony McDonald
Sparty Hammett
Roxanne Ancheta
Warren Harley
Laura Renwick
John Hixon
Monique Walters
Brandon Madden
Beverly Harris
Quinton Epps
Michelle Onley
Larry Smith
Cheryl Patrick
Tracy Hegler
Amelia Linder
Monique McDaniels
Nelson Lindsay
Bill Peters
Sandra Haynes
Sara Salley
Ismail Ozbek
Valeria Jackson
Will Simon
Geo Price
Chris Eversmann
Brad Farrar

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated that the following items were potential Executive Session Items:

a. **Purchase of Property**

b. **Waterpark Contract** – This item was deferred in the Economic Development Committee.

c. **Pending Legal Matter (Utilities)**

d. **Personnel Matter**

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

a. **Vector Control Recognition** – Mr. McDonald stated at the 2014 State Mosquito Control Association Annual Banquet, Richland County Vector Control was presented with two awards. Tammy Brewer, Director, received the L. A. Williams, Jr. Award for Outstanding Service and Katherine Sandel received the Technician of the Year Award.

POINT OF PERSONAL PRIVILEGE – Mr. Washington thanked Vector Control for responding to requests from Lower Richland.

b. **Pending Legal Matter (Utilities)** – This item was taken up in Executive Session.

REPORT OF THE CLERK OF COUNCIL

a. **January 6: Richland County Council Swearing-In Ceremony, 4:00 PM, Council Chambers – Reception Immediately Following** – Ms. McDaniels stated that the Swearing-In Ceremony will be held January 6th at 4:00 PM with a reception immediately following.

b. **January 6: Regular Session Council Meeting, 6:00 PM** – Ms. McDaniels reminded Council the first meeting in January is January 6th. The only matters taken up at that meeting will be the Election of Chair, Election of Vice-Chair and Selection of Seats.

c. **January 27: Committee Meetings and Zoning Public Hearing** – Ms. McDaniels stated the committee meetings and Zoning Public Hearing will be held on January 27th.

d. **January 29-30: Richland County Council Retreat, Wampee Conference Center** – Ms. McDaniels stated the 2015 Council Retreat will be held January 29-30.

e. **February 10 and 17: Regular Session Council Meetings** – Ms. McDaniels stated that the February meetings will be held February 10th and 17th.

REPORT OF THE CHAIRMAN

a. **Personnel Matter** – This item was taken up in Executive Session.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate $167,583.00 of General Fund Balance to cover cost of Grant Match Funds** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article VI, Local Hospitality Tax; so as to delete historical disbursement reference** – No one signed up to speak.
- **An Ordinance Authorizing Deed to the South Carolina Department of Transportation for a portion of TMS # 19011-02-10 for the Mill Creek Bridge Replacement Project** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; so as to add a provision to allow for a 5% local vendor preference** – No one signed up to speak.
- **Ordinance to amend the Master Agreement Governing the I-77 Corridor Regional Industrial Park to include additional property in Richland County and to authorize a credit agreement with 3130 Bluff Road LLC; and other related matters** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Authorizing Deed to the South Carolina Department of Transportation for a portion of TMS # 19011-02-10 for the Mill Creek Bridge Replacement Project [THIRD READING]**

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction; Definitions; and Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; so as to permit non-hazardous sludge in the HI (Heavy Industrial District) with Special Requirements [THIRD READING]**

Mr. Manning moved, seconded by Ms. Dickerson, to approve the consent items. The vote in favor was unanimous.

THIRD READING ITEM

Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain real property located in Richland County; the execution and delivery of a credit agreement to provide for special source revenue credits to Blue Atlantic Columbia, LLC, previously identified as Project Peak; and other related matters – Ms. Dickerson moved, seconded by Mr. Rush, to approve this item.

A discussion took place regarding the pace the student housing projects are being approved and the assurance the housing will be used for student housing only.

Ms. Dickerson moved, seconded by Mr. Livingston, to call for the question. The vote in favor was unanimous.

FOR	AGAINST
Dixon	Pearce
Dickerson	Malinowski
Jackson	Rose
Livingston	Manning
Washington	
Rush	
Jeter	

The vote was in favor.

An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate $167,583.00 of General Fund Balance to cover cost of grant match funds – Mr. Rush moved, seconded by Ms. Dixon, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article VI, Local Hospitality Tax; so as to delete historical disbursement reference – Mr. Pearce moved, seconded by Ms. Dixon, to approve this item. The vote in favor was unanimous.

Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain real property located in Richland County; the execution and delivery of a Credit Agreement to provide for special source revenue credits to 3130 Bluff Road LLC; and other related matters – Ms. Dickerson moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; so as to add a provision to allow for a 5% local vendor preference – Mr. Washington moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential and Commercial Zones of the County; so as to define vehicles subject thereto – Mr. Washington removed this item from the Consent Agenda to inquire on the areas that will be impacted by the ordinance amendment.

Ms. Dickerson moved, seconded by Ms. Dixon, to approve this item.

FIRST READING ITEM

An Ordinance Amending the Fiscal Year 2014-2015 Public Works Annual Budget to appropriate Two Million Eight Hundred Seventy-Four Thousand Four Hundred Fifty Dollars ($2,874,450.00) from their Stormwater Fund to purchase the Cabin Branch (Hopkins) Tract Property – Mr. Washington moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Stormwater Division of Department of Public Works Purchase of a High Side Dumping Municipal Street Sweeper – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

a. **A Resolution Authorizing the extension of the investment period under a May 19, 2009 Fee Agreement by and between Richland County, South Carolina, and Trane U. S. Inc.** – Mr. Livingston stated that the committee recommended approval. The vote in favor was unanimous.

b. **Waterpark Contract** – This item was taken up in Executive Session.

REPORT OF RULES AND APPOINTMENTS

I. NOTIFICATION OF APPOINTMENTS

a. **Richland Memorial Hospital Board – 4** – Mr. Malinowski stated that the committee recommended re-appointing George King, Jr.; Jerome Odom, Charles Waddell and appoint Timothy Davis.

Mr. Rose requested to nominate Ms. Ray Borders Gray.

Mr. Pearce moved, seconded by Ms. Dickerson, to re-appoint the incumbents. The vote in favor was unanimous.

Mr. Rose voted for Ms. Ray Borders Gray.

Mr. Timothy Davis was unanimously appointed to the Richland Memorial Hospital Board.

b. **Building Codes Board of Appeals – 1** – Mr. Malinowski stated that the committee recommended appointing Mr. Jeff Allen and re-advertise for the remaining two vacancies. The vote in favor was unanimous.

c. **Accommodations Tax Committee – 1** – Mr. Malinowski stated that the committee recommended re-appointing Mr. Bill McCracken. The vote in favor was unanimous.

REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

a. **Resurfacing Packages A & B** – Mr. Livingston stated the committee recommended awarding the contracts for Packages A and B to Sloan Construction.

Mr. Washington moved, seconded by Mr. Jackson, to divide the question.

FOR	AGAINST
Dixon	Pearce
Jackson	Malinowski
Washington	Rose
Rush	Dickerson
	Livingston
	Manning
	Jeter

The motion failed to divide the question.

Mr. Washington moved, seconded by Mr. Jackson, to re-negotiate the contract with Sloan Construction to obtain the largest DBE participation possible. The vote in favor was unanimous.

b. Innovista Project – Greene Street Phase I – Mr. Livingston stated the committee recommended approval of advertising for this project. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Mr. Manning, to reconsider this item. The motion failed.

c. County Transportation Improvement Program – Mr. Livingston stated that the committee recommended approval of County Transportation Improvement Program.

Mr. Manning moved, seconded by Ms. Dixon, to recess for five minutes.

FOR	AGAINST
Malinowski	Pearce
Rose	Dickerson
Dixon	Livingston
Jackson	Rush
Washington	Jeter
Manning	

The vote was in favor of a five minute recess.

Mr. Livingston moved, seconded by Mr. Manning, to amend the committee's recommendation for approval: "to allow flexibility to accelerate projects when funding is available." The vote in favor was unanimous.

Mr. Livingston moved, seconded by Mr. Manning, to reconsider this item. The motion failed.

A Resolution to appoint and commission Devin Tate Bingham as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Malinowski moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

CITIZENS' INPUT

Ms. Cameo Green spoke regarding the Lower Richland Sewer Project.

EXECUTIVE SESSION

Council went into Executive Session at approximately 7:19 p.m. and came out at approximately 8:48 p.m.

a. **Board and Commissions** – Mr. Washington moved, seconded by Ms. Dixon, to proceed as directed in Executive Session. The vote in favor was unanimous.

b. **Waterpark Contract** – Mr. Livingston moved, seconded by Mr. Manning, to proceed with the due diligence on the proposal. The vote in favor was unanimous

c. **Pending Legal Matter (Utilities)** – Mr. Malinowski moved, seconded by Mr. Jackson, to direct staff to proceed as discussed in Executive Session. The vote in favor was unanimous.

d. **Purchase of Property** – Mr. Livingston moved, seconded Mr. Jackson, to proceed with the due diligence on the property and bring back to Council for consideration. The vote in favor was unanimous.

MOTION PERIOD

a. **Resolution recognizing January 2015 as National Human Trafficking Prevention Month [MANNING and DIXON]** – Mr. Manning moved, seconded by Ms. Dixon, to approve a resolution recognizing January 2015 as National Human Trafficking Prevention Month. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 8:51 PM.

Richland County Council
Regular Session
Tuesday, December 9, 2014
Page Nine

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Norman Jackson, Chair

_____ _____
Joyce Dickerson, Vice-Chair Julie-Ann Dixon

_____ _____
Damon Jeter Paul Livingston

_____ _____
Bill Malinowski Jim Manning

_____ _____
Greg Pearce Seth Rose

_____ _____
Torrey Rush Kelvin E. Washington, Sr.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council

Richland County Council Request of Action

Subject

Zoning Public Hearing: December 16, 2014 **[PAGES 16-19]**

ZONING PUBLIC HEARING

December 16, 2014
7:00 PM
Council Chambers

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Mr. Jackson called the meeting to order at approximately 7:00 PM

ADDITIONS/DELETIONS TO THE AGENDA

Ms. Dixon moved, seconded by Ms. Dickerson, to adopt the agenda as published. The vote in favor was unanimous.

MAP AMENDMENTS

14-27MA, Daryl Barnes, RS-LD to NC (.57 Acres), 5430 Lower Richland Blvd. 21710-01-01 [FIRST READING] – Mr. Washington moved, seconded by Mr. Jackson, to defer this item and the public hearing until the January Zoning Public Hearing. The vote in favor was unanimous.

14-37MA, Ken Simmons, PDD to PDD (89.2 Acres), Trotter Rd., 21800-01-03/14, 21900-09-08 [FIRST READING]

Mr. Jackson opened the floor to the public hearing.

Mr. Ken Simmons spoke in favor of this item.

The floor to the public hearing was closed.

Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

14-38MA, George Goff, HI to GC (15.39 Acres), 1117 & 1105 Sparkleberry Lane Ext., 22909-04-01 & 22905-06-10 [FIRST READING]

Mr. Jackson opened the floor to the public hearing.

Mr. Robert Fuller spoke in favor of this item.

The floor to the public hearing was closed.

Council Members Present

Norman Jackson, Chair
District Eleven

Joyce Dickerson, Vice Chair
District Two

Julie-Ann Dixon
District Nine

Paul Livingston
District Four

Bill Malinowski
District One

Jim Manning
District Eight

Greg Pearce
District Six

Seth Rose
District Five

Torrey Rush
District Seven

Kelvin E. Washington, Sr.
District Ten

Others Present:

Sparty Hammett
Geo Price
Tommy DeLage
Tracy Hegler
Amelia Linder
Holland Leger
Michelle Onley
Monique Walters
Monique McDaniels

Ms. Dixon moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

14-39MA, Tobias Ward, RS-LD to PDD (3.92 Acres), 1335 Elm Abode Terr., 07308-05-02/03/08 [FIRST READING]

Mr. Jackson opened the floor to the public hearing.

Mr. Michael Haigler, Ms. Ina Fort, Mr. Carl Schroeder, Mr. Charles Aiken and Mr. Tobias Ward spoke in favor of this item.

Mr. Richard Addy and Mr. Les Clark spoke in opposition of this item.

The floor to the public hearing was closed.

Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item with the changes recommended by the Planning Commission and staff. The vote in favor was unanimous.

TEXT AMENDMENT

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (F), Parking of Recreational Vehicles, Boats, and Travel Trailers; so as to add utility trailers [FIRST READING]

Mr. Jackson opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Dickerson moved, seconded by Ms. Dixon, to approve this item.

Mr. Malinowski made a substitute motion, seconded by Ms. Dixon, to defer this item back to staff and then on to the working group for discussion. The vote in favor was unanimous.

COMPREHENSIVE PLAN

An Ordinance Updating the 2009 Comprehensive Plan through the adoption of a new plan for the County of Richland, pursuant to the State of South Carolina Comprehensive Planning Enabling Act of 1994

Mr. Jackson opened the floor to the public hearing.

Ms. Carol Kososki, Mr. Kenny Mullis and Mr. Michael Haigler spoke in favor of this item.

Ms. Kim Murphy spoke in opposition of this item.

The floor to the public hearing was closed.

The following amendments to the Comprehensive Plan were requested during the Public Hearing:

- North of Langford Rd. currently designated Neighborhood Low Density would be better suited for the Rural Small Lot category
- Add hydrology layer to the map to show the creeks, ponds and other water features
- Show more detail on maps
- Ms. Murphy requested the area she resides in be classified as Rural Large Lot
- Mr. Haigler requested the phrase "These uses should not encroach on established residential areas."

Mr. Pearce moved, seconded by Mr. Malinowski, to approve this item and prior to 2nd Reading staff provide Council with recommendations on the input received from the Conservation Commission, Ms. Murphy, and Mr. Haigler.

Mr. Manning requested the activity corridor designation be removed from Clemson Road (between Hardscrabble and North Springs Roads).

ADJOURNMENT

The meeting adjourned at approximately 7:45 PM

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing

Richland County Council Request of Action

Subject

a. January 27, 2015 - Zoning Public Hearing Cancellation

Richland County Council Request of Action

Subject

a. Amend the duties of the Transportation Penny Advisory Committee (TPAC) to similar duties of the Planning Commission as a recommending body on any changes or addition to projects pertaining to the Penny Tax Program **[JACKSON]**

b. Resolution recognizing South Carolina's "Mr. Football", Dutch Fork Running Back, Matt Colburn **[MALINOWSKI]**

c. To direct the County Administrator to provide a detailed timeline account on how the library's request for lease approval was established and made it to the Council agenda. (i.e. Who made the recommendation to place it on the agenda, who in the Clerk's Office received the notification and when? Were the Library Liaisons and District Representative contacted prior to placing this item on the agenda?) **[DIXON]**

Richland County Council Request of Action

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Must Pertain to Items Not on the Agenda