

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 6, 2007 6:00 p.m.

*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.*

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### MEMBERS PRESENT:

Chair	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

**OTHERS PRESENT** - Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Larry Smith, Donny Phipps, Anna Almeida, Tiaa Rutherford, Michael Criss, Jennie Sherry-Linder, Daniel Driggers, Audrey Shifflett, James Hayes, Teresa Smith, Sandra Hayes, Michael Byrd, Andy Metts, Rodolfo Callwood, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

### INVOCATION

The Invocation was given by the Honorable Mike Montgomery

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Mike Montgomery

### **ADOPTION OF AGENDA**

Mr. Montgomery moved, seconded by Mr. Pearce, to adopt the agenda as distributed. The vote in favor was unanimous.

### **CITIZEN'S INPUT**

No one signed up to speak.

**POINT OF PERSONAL PRIVILEGE** – Ms. Smith recognized that the former Secretary of Commerce of South Carolina, Charles Way, was in the audience.

**POINT OF PERSONAL PRIVILEGE** – Mr. Montgomery recognized that Bill Leidinger, Transportation Study Commission Steering Committee member, was in the audience.

**POINT OF PERSONAL PRIVILEGE** – Mr. McEachern recognized that Blythewood Mayor Pete Amoth was in the audience.

**POINT OF PERSONAL PRIVILEGE** – Ms. Scott recognized that Dr. Reed and Rev. Epps were in the audience.

### **APPROVAL OF MINUTES**

**Regular Session: January 16, 2007** – Mr. Jeter moved, seconded by Mr. Livingston, to approve the minutes as distributed. The vote in favor was unanimous.

**Zoning Public Hearing: January 23, 2007** – Mr. Livingston moved, seconded by Ms. Scott, to reconsider the portion of the minutes regarding Map Amendments #06-54MA and #06-55MA. The vote in favor was unanimous.

**POINT OF ORDER** – Ms. Smith stated that she had a conflict of interest and has a form on file with the Clerk's Office and therefore, would not participate in the vote or discussion regarding these items.

**POINT OF ORDER** – Mr. Pearce inquired if he would be allowed to vote regarding these items since he was not present for the original vote.

Mr. Livingston moved, seconded by Ms. Scott, to defer this item until the February Zoning Public Hearing meeting. The vote in favor was unanimous.

Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the minutes as reconsidered. The vote in favor was unanimous.

### **REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS**

Mr. Smith stated the following were an Executive Session Items:

- 1. Potential Litigation**
- 2. Farmers' Market Design/Build Contracts Negotiation and Award**

Ms. Scott moved, seconded by Mr. Pearce, to move Executive Session until after Citizens Input. The vote in favor was unanimous.

### **REPORT OF THE COUNTY ADMINISTRATOR**

**Farmers' Market Report** – Mr. Pope updated Council regarding the Farmers' Market. Agriculture Commissioner, Hugh Weathers, reported that the estimated construction costs for the Farmers' Market have increased substantially and a report was made to the Ways and Means Committee to that effect. Mr. Weathers is available to make a report to Council and Mr. Pope recommended that Mr. Weathers do so. Administration does not plan to issue bonds until the State has assured them that the project will move forward.

**Animal Care RFQ** – Mr. Pope stated that the draft RFQ had been completed and hard copies were available.

**Recreation Consultant Meeting** – Mr. Pope stated that the Recreation Consultants and the Council appointed committee (Ms. Hutchinson, Mr. McEachern, Mr. Montgomery, Ms. Dickerson and Mr. Jeter) need to meet sometime within the next month to get this project moving.

**NaCo Prescription Drug Cards** – Mr. Pope gave a brief update regarding this item.

**Report Broad River Water Treatment Plant** – Mr. Andy Metts briefed Council regarding this item.

### **REPORT OF THE CLERK OF COUNCIL**

**SCAC Mid-Year Conference** – Ms. Finch reminded Council members of the SCAC Mid-Year Conference. The conference is on February 21<sup>st</sup> and includes a Delegate's Luncheon and a Legislative Reception that evening. The deadline to register is February 7<sup>th</sup>.

## REPORT OF THE CHAIRMAN

**Richland County Transportation Study Commission Executive Committee: Long-Range Transportation Consultant Recommendation** – Mr. McEachern stated with the consensus of Council this item would be taken up later.

## PUBLIC HEARING ITEMS

There were no public hearing items.

## APPROVAL OF CONSENT ITEMS

Ms. Hutchinson moved, seconded by Ms. Scott, to approve the following consent item:

- **06-62MA, Rabon Road Storage/Robert Fuller, RU to GC (1 Acre), Self Storage Facility, 17115-01-08, North Side of Rabon Road [Second Reading]**
- **06-63MA, C. Douglas Caughman, RU to GC, Family Day Care & General Commercial (12.6 Acres), 19011-02-02(p), 378 & Garners Ferry Road [Second Reading]**
- **06-65MA, Brad Wilson, RS-LD to GC (8.42 Acres), Retail Shops, 20300-02-31, Lee & Longtown Road [Second Reading]**
- **06-69MA, Parcone Development Corporation, HI to GC (31.11 Acres), Retail Shopping Center, 22910-01-03, 10261 Two Notch Road [Second Reading]**
- **An Ordinance Consenting to an Assignment to HOLO (SC) QRS 16-91, Inc. of Certain Rights and Obligations of Holopack International Corp. Relative to All Interests in Real Property and Improvements, and Certain Personal Property [Second Reading]**
- **An Ordinance Authorizing Quit-Claim Deed to Janice Juanita Newbold-Molden and Albert Wallace for a Certain Portion of a Right-of-Way Known as Bluff Oaks Road, Richland County [First Reading]**
- **Ordinance Authorizing the Granting of a Water Line Right-of-Way Easement to the City of Columbia Across Property Identified as a Portion of TMS #R16200-03-20, to Serve the New Columbia State Farmers' Market [First Reading]**
- **Petition to Close Killian Arch Road**
- **Emergency Services: Approval of Contract to Hoover Buildings for Construction of Storage Buildings at Gills Creek Emergency Services Station**
- **Request for Approval to Enter into an Intergovernmental Agreement with the South Carolina Army National Guard to Provide Fire and EMS Services to the McCrady Training Site**
- **An Ordinance Amending the Fiscal Year 2006-2007 Special Revenue Fund Annual Budget to Add Six Firefighters to Fire Services. Funds are Presently Available in the Departmental Budget to Cover the Costs of these**

**New Positions. There will be No Additional Costs for this Fiscal Year.** [First Reading]

- **An Ordinance Amending the Fiscal Year 2006-2007 General Fund Annual Budget to Add Four Emergency Medical Technicians and Four Paramedics to Emergency Medical Services. Funds are Presently Available in the Departmental Budget to Cover the Costs of these New Positions. There will be No Additional Costs for this Fiscal Year.** [First Reading]
- **An Ordinance Authorizing the Granting of a Sewer Easement to Ginn-LA University Club Ltd., LLP, Across Property Lying to the North of McNulty Street, Blythewood, South Carolina, and Identified as a Portion of TMS #15209-01-04.** [First Reading]
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 2, Competitive Purchasing Policy; Section 2-598, General Provisions; Subsection (A): So as to Exempt Certain Contracts from the County's Requirements Under this Article** [First Reading]
- **Sheriff's Department: Request to Approve a \$25,000 Grant from the SC Budget and Control Board for the Graffiti Abatement Program (No match or Personnel)**

The vote in favor was unanimous.

## SECOND READING ITEMS

**06-67MA, Martin Marietta, Inc., RU to HI (525 Acres), Mining, 06500-01-04(p), Monticello Trail** – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item with the incorporation of the letter from Martin Marietta into the ordinance. A discussion took place.

The vote in favor was unanimous.

**Amendment to Permit Tattoo Parlors on Property Zoned General Commercial** – Ms. Smith moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

## REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

**Approval of Condemnation Action for a Portion of TMS #20600-10-032 to Obtain Right-of-Way Needed to Pave Wade Kelly Road** – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item and to continue negotiations to reasonably compensate the residents and report the results of these negotiations back to Council. A discussion took place.

Mr. Montgomery made a substitute motion, seconded by Ms. Smith, to approve this item with the understanding that if there is a proposed settlement or change that might incorporate Ms. Dickerson's request that it be brought to Council for approval. The vote in favor was unanimous.

**Approval of Condemnation Action for Two Parcels at South Side Montgomery Road (TMS #06600-02-15 & 06600-02-18) for Expansion of the Richland County Landfill Buffer** – Mr. Jackson moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

#### **REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VI, Elected and Special Officers; Section 2-262, Salaries of Certain Elected Officials; So as to Provide for the Salaries of Such Officials and for Subsequent Pay Increases** – A discussion took place.

Ms. Scott moved, seconded by Mr. Livingston, to approve this item. A discussion took place. The vote was in favor.

**Animal Shelter RFQ** – This item was taken up during the County Administrator's Report.

#### **REPORT OF RULES AND APPOINTMENTS COMMITTEE**

##### **I. APPOINTMENT OF CHAIR**

##### **II. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES**

- a. Employee Grievance Committee—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- b. Hospitality Tax Committee—3** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- c. Planning Commission—2** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- d. Township Auditorium Board—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. A discussion took place. The vote in favor was unanimous.

**III. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

- a. Accommodations Tax Advisory Committee—4** – Mr. Montgomery stated there were four applicants and four vacancies. The committee's recommendation was to appoint the four applicants: Ms. Yolonda Armstrong, Mr. Tom Farrell, Mr. James L. Williams and Dr. Sherry A. Walters. The vote in favor was unanimous.
- b. Board of Zoning Adjustments and Appeals—3** – Mr. Montgomery stated there were two applicants and three vacancies. The committee's recommendation was to re-appoint Mr. Harold D. Branham and appoint Ms. Susanne H. Cecere and to re-advertise for the other vacancy. The vote in favor was unanimous.
- c. Community Relations Council—2** – Mr. Montgomery stated there were three applicants and two vacancies.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Ms. Smith, Mr. McEachern and Mr. Montgomery voted for Ms. Marga McKee.

Mr. Livingston, Ms. Dickerson, and Ms. Scott voted for Ms. Prentiss McLaurin.

Mr. Pearce, Mr. Malinowski, Ms. Hutchinson, Mr. McEachern, Mr. Livingston, Ms. Dickerson, Ms. Smith and Ms. Smith vote for Mr. Frank E. White, Jr.

Ms. McKee and Mr. White were appointed.

- d. Farmers' Market Promotions Committee—1** – Mr. Montgomery stated there was one applicant and one vacancy. The committee's recommendation was to appoint Mr. Tony Mizzell. The vote in favor was unanimous.
- e. Hospitality Tax Committee—2** – Mr. Montgomery stated there was one applicant and two vacancies. The committee's recommendation was to re-appoint Ms. Holli S. Emore. The vote in favor was unanimous.
- f. Transportation Study Commission—11** – Mr. Montgomery stated that committee recommended amending the ordinance to establish the Transportation Study Committee by title only. The amendment would increase the size of the total group to 39 by increasing the Executive Committee to 7 and increase the number of at-large members to 16. The vote in favor was unanimous.

The committee recommended appointing the following applicants to the at-large vacancies: Mr. Morgan Grimball, Mr. Glen Gray, Mr. Will Haltiwanger, and Mr. Steven Hooker to serve on the Greenways Committee; Mr. John Richter, Mr. Louis Dessau and Mr. Jonathan Marcy to the Road Committee; and Mr. James Irwin, Mr. John Hartz, Mr. Eddie Glenn Bryant and Mr. James Frierson to the Public Transit Committee. The vote in favor was unanimous.

The committee recommended that the sub-committees consist of the following members, plus the Chairman of each sub-committee.

**Greenways and Bike Paths Committee:** Ms. Valerie Marcil; Mr. William Dubard, Sr.; Mr. Charles Brooks; Mr. Morgan Grimball; Mr. Glen Gray; Mr. Will Haltiwanger; and Mr. Steven Hooker.

**Roads Committee:** Mr. Doug Bridges; Ms. Susan Wilson; Mr. James Brown; Mr. John Hardee; Mr. Ronald Wade Anderson; Mr. Richard Dempsey, Sr.; Mr. Stephen B. Corboy; Mr. John Richter; Mr. Louis Dessau, and Mr. Jonathan Marcy.

**Public Transit:** Mr. David James, Ms. Lill Mood, Mr. Bill Jordan, Mr. Joe Owens, Ms. Queen Bonaparte, Mr. Henry Jackson, Mr. Bob Liming, Dr. Leo Richardson, Mr. Chris Scott, Mr. Wade Mullins, Mr. James Irwin, Mr. John Hartz, Mr. Eddie Glenn Bryant and Mr. James Frierson.

The vote in favor was unanimous.

#### **APPLICATION OF LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY**

**Oliver's Care Home, 1200 Lowhorn Road, Blythewood, South Carolina 29016** – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

**Richland County Transportation Study Commission Executive Committee: Long-Range Transportation Consultant** – Mr. Pope stated that the steering committee recommended to Council for consideration Parsons Brinkerhoff. A discussion took place.

Ms. Smith moved, seconded by Ms. Scott, to authorize administration to work with the Executive Committee of the Transportation Commission to enter into contract negotiations with Parsons Brinkerhoff and bring the contract back to Council for approval. The vote was in favor.

**Farmers' Market Design/Build Contracts Negotiation and Award** – This item was taken up during Executive Session for information.

**CITIZEN'S INPUT**

No one signed up to speak.

**EXECUTIVE SESSION ITEMS**

- a. **Pending Litigation** – No action was taken.
- b. **Farmers' Market Design/Build Contracts Negotiation and Award** – No action was taken.

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**Council went into Executive Session at approximately 7:50 p.m. and came out at approximately 8:25 p.m.**  
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Ms. Scott moved, seconded by Ms. Dickerson, to come out of Executive Session. The vote in favor was unanimous.

**MOTION PERIOD**

**City of Columbia Correspondence** – Mr. Pearce referred to the A&F Committee the utilization of deadlines when corresponding with the City of Columbia.

**Body Piercing Ordinance** – Mr. Livingston moved, seconded by Ms. Dickerson, to give First Reading approval to the ordinance and forward it to the Planning Commission. The vote in favor was unanimous.

**Township Bond Ordinance** – Mr. Livingston moved, seconded by Ms. Scott, to have this item placed on the February 20<sup>th</sup> agenda. The vote in favor was unanimous.

**Landfills & Recycling Program** – Ms. Scott directed staff to research landfill space and the recycling program and report back to the D&S Committee.

**Salaries and Benefit Packages for Council Members** – Mr. Jeter directed staff to research the salaries and benefit packages of council members in other counties.

**February 15<sup>th</sup> Special Called Meeting and Work Session** – Ms. Smith moved, seconded by Ms. Scott, to schedule a Special Called meeting at 4:00 p.m. to consider contractual negotiations with the County Administrator and also hold a work session immediately following the Special Called meeting on the Broad River Water Treatment Plant.

A discussion took place.

**06-51MA, Lowman Homes, RU to PDD (206.7 Acres), Mixed Use, 01511-03-03/04/05/06/09, 01511-04-01/04/18, 01515-01-01, 01515-01-03, Dutch Fork Rd. and Johnson Marina Rd.** – Mr. Malinowski moved to withdrew his motion to have a developmental agreement in place before this item it placed back on the agenda, seconded by Mr. Livingston. In lieu of the developmental agreement the builders have agreed to meet with the Planning staff and incorporate any concerns within the PDD. The vote in favor was unanimous.

**Council Discretionary Account** – Mr. McEachern referred this item to the A&F Committee for a Budget Amendment.

**POINT OF PERSONAL PRIVILEGE** – Mr. McEachern stated that his son has landed overseas.

### ADJOURNMENT

The meeting adjourned at approximately 8:41 p.m.

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Joseph McEachern, Chair

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Valerie Hutchinson, Vice-Chair

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Joyce Dickerson

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Mike Montgomery

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L. Gregory Pearce, Jr.

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley