

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 5, 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** - Michelle Cannon-Finch, Milton Pope, Tony McDonald, Stephany Snowden, Jennifer Dowden, Tamara King, Joe Cronin, Larry Smith, Michael Criss, Jennie Sherry-Linder, Anna Almeida, Audrey Shifflett, Daniel Driggers, Angie McInchok, James Hayes, Lashedra Pontoon, Jim Wilson, Michael Byrd, Harry Huntley, John Hixon, Tiaa Rutherford, Jim Wilson, Chief Harrell, 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 Michael Montgomery

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Michael Montgomery

## **CITIZEN'S INPUT**

No one signed up to speak.

## **APPROVAL OF MINUTES**

**Regular Session: May 15, 2007** – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

**Budget Public Hearing: May 22, 2007** – Mr. Pearce moved, seconded by Ms. Dickerson, to approve the minutes as distributed. The vote in favor was unanimous.

**Zoning Public Hearing: May 22, 2007** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the minutes as distributed. The vote in favor was unanimous.

**Regular Session: May 24, 2007** – Ms. Hutchinson moved, seconded by Mr. Jackson, to approve the minutes as distributed. The vote in favor was unanimous.

## **ADOPTION OF AGENDA**

Mr. Pearce requested that Item 1.d. be moved to Item 6.

Mr. Pope requested that a legal review of a contractual/lease matter be added as an Executive Session item.

Ms. Dickerson moved, seconded by Mr. Jackson, to approve the agenda as amended. The vote in favor was unanimous.

## **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS**

The following items were potential Executive Session items:

- a. TIF Update**
- b. Lease Agreement: Riverside Rowing Center**

Ms. Scott moved, seconded by Ms. Hutchinson, to move Executive Session until after Citizen's Input. The vote in favor was unanimous.

## **REPORT OF THE COUNTY ADMINISTRATOR**

No report was given at this time.

## REPORT OF THE CLERK OF COUNCIL

**NACo Conference July 13-17, 2007** – Ms. Finch stated that the conference would be held in Richmond, Virginia this year. Council members that are planning to attend, please contact Ms. Finch as soon as possible.

**Community Relations Council Annual Luncheon, Seawells, June 13<sup>th</sup> at 12:30 p.m.** – Ms. Finch stated that the luncheon would be held June 13<sup>th</sup> at 12:30 p.m. at Seawell's. Council members that are planning to attend, please contact Ms. Finch as soon as possible.

**Midlands Workforce Development Board Employer Appreciation Luncheon** – Ms. Finch stated that the luncheon will be held at the Embassy Suites Hotel on June 26<sup>th</sup> at 12:00 p.m.

**Retirement Dinner for Judge Clemon L. Stocker** – Ms. Finch stated that the retirement dinner for Judge Stocker will be held on June 8<sup>th</sup> at 7:00 p.m. at the C. Jackson Wellness Center at Bibleway Church on Atlas Road.

**Midlands Technical College Business Accelerator Groundbreaking** – Ms. Finch stated that the groundbreaking for the Midlands Technical College Business Accelerator Building will be held June 7<sup>th</sup> at 10:00 a.m.

**July Meeting Schedule** – Ms. Finch stated that the first meeting in July may need to be rescheduled due to the July 4<sup>th</sup> holiday.

## REPORT OF THE CHAIRMAN

**Comprehensive Plan Regarding Non-Attainment Air Quality EPA Standards** – Mr. McEachern stated he has spoken with staff regarding the development of a comprehensive plan, in collaboration with surrounding counties, to address air quality issues.

**Work Session on June 19<sup>th</sup> Regarding Recreation Complex in Northeast Richland County** – Mr. McEachern stated that a work session regarding the Northeast Recreation Complex needs to be held on June 19<sup>th</sup> at 4:00 p.m.

## PUBLIC HEARING ITEMS

- **Ordinance Amending the FY 2006-2007 General Fund Budget to add one million sixty five thousand dollars to the budgets of Risk Management, the Ombudsman's Office and Central Services** – No one signed up to speak.
- **Ordinance Amending the FY 2006-2007 General Fund Budget to add \$50,000 to the Coroner's Budget** – No one signed up to speak.

- **Ordinance Authorizing the Issuance of revenue refunding bonds and revenue bonds for the benefit of International Paper Company and related matters in connection therewith**

#### **APPROVAL OF CONSENT ITEMS**

Ms. Hutchinson moved, seconded by Ms. Dickerson , to approve the following consent items:

- **Ordinance Amending the FY 2006-2007 General Fund Budget to add one million sixty five thousand dollars to the budgets of Risk Management, the Ombudsman's Office and Central Services [Third Reading]**
- **Ordinance Amending the FY 2006-2007 General Fund Budget to add \$50,000 to the Coroner's Budget [Third Reading]**
- **07-29MA, Farrow Road Joint Venture, HI to GC, Mixed Use, TMS #17200-03-01(p)/13/21/28/29 and TMS #17211-01-01(p)/07/09 and TMS #17206-02-01, I-77 & Farrow Road [Second Reading]**
- **Memorandum of Understanding relating to the interim financing of the Central Midlands Regional Transit Authority**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; so that all business establishments within the unincorporated areas of Richland County with gasoline and diesel fuel pumps shall require full payment in advance for any quantity of gasoline or diesel sold {Committee Recommended Denial}**
- **Detention Center: Request to Approve Expenditure in the Amount of \$99,290.00 to Honeywell, Inc. for full maintenance coverage on the fire and security system for the Bluff Road Facility**
- **Detention Center: Request to Approve the Expenditure in the amount of \$135,492.00 to W. B. Guimarin & Company, Inc. for maintenance of the Bluff Road Facility Housing and Energy Plant**
- **An Ordinance Authorizing the Amendment of a Development Agreement between Richland County, South Carolina and Lake Carolina Development, Inc. to reflect the addition of land to the Lake Carolina PUD-2 [First Reading]**
- **Ordinance Authorizing the Granting of a Sanitary Sewer Easement to the City of Columbia Across Count-owned Property on Elder's Pond Drive [First Reading]**
- **Ordinance Authorizing the Granting of a Water Line Easement to the City of Columbia Across County-owned Property on Elder's Pond Drive [First Reading]**

The vote in favor was unanimous.

### THIRD READING

**Ordinance Authorizing the Issuance of revenue refunding bonds and revenue bonds for the benefit of International Paper Company and related matters in connection therewith** – A discussion took place.

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

### SECOND READING

**Recommendation from Planning Commission to Amend the Comprehensive Plan by Incorporating “The Renaissance Plan for the Decker Boulevard/Woodfield Park Area” into the I-20 Corridor Subarea Plan** – Mr. Montgomery moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

**07-26MA, Dovetail Development, RM-MD to RM-HD, Multi-Family Dwellings, TMS #13607-02-01, Shop Road** – Ms. Scott moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

**07-28MA, Bunch/Lower Richland PDD, RU to PDD, Mixed Use Development, TMS #21800-01-06, Garners Ferry Road & Lower Richland Boulevard** – Mr. Jackson moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

**Citadel Foundation /Northpoint Industrial Park/ Land Purchase** – Mr. Jeter moved, seconded by Ms. Scott, to delete this item.

**POINT OF ORDER** – Ms. Smith stated that she recommended referring action on this item to the Report of the Economic Development Committee

Ms. Smith moved, seconded by Mr. Jeter, to defer this item and take action concurrently with Item 5.a. The vote in favor was unanimous.

**Midlands Technical College: Request for Multi-County Industrial Park Status** – Mr. Jeter moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

### REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

**Request to Approve Posting of the Civil Rights Act 1968 in County-occupied Buildings** – A discussion took place.

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

**An Ordinance Providing for Entering into a Tax-Exempt Lease Purchase Transaction of not exceeding \$3,700,000 and a Sublease with Allen University, to Richland County Council**

**prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters pertaining thereto** – Ms. Smith moved, seconded by Ms. Scott, to give First Reading approval by title only and to refer the issue to the Bond Committee for examination. The vote in favor was unanimous.

#### **REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**Request to Consider a Petition to Close a Portion of Hobart Road** – Ms. Scott moved, seconded by Ms. Dickerson, to approve this item with the issues of EMS, numbering and naming being addressed. A discussion took place.

The vote in favor was unanimous.

**Ordinance Authorizing the Use of Fill in Floodplain Areas** – A discussion took place.

Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. Further discussion took place.

The vote in favor was unanimous.

#### **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

**Ordinance Authorizing Special Source Revenue Bonds not to exceed \$1,000,000 Payable from fee-in-lieu of tax revenues generated from properties within the I-77 Corridor Regional Industrial Park; the proceeds to be used to acquire land and finance improvements in the Northpoint Industrial Park & Citadel Foundation /Northpoint Industrial Park/ Land Purchase** – Mr. Jeter moved, seconded by Ms. Scott, to defer these items until the June 19<sup>th</sup> meeting. The vote in favor was unanimous.

**POINT OF PERSONAL PRIVILEGE** – Mr. McEachern recognized Ms. Wendy Brawley, District One School Board Chair; Mr. Harry Huntley, Auditor; Mr. Paul Brawley, Auditor-elect; Ms. Melinda Anderson, District Two School Board Chair; Ms. Regina Corley, District Two School Board Member; Mr. Stephen Shellenberg, District Two School Board Member; Mr. Bill Flemming, District Two School Board Member; Chief Bradley Anderson, Columbia Fire Department; and Dr. Allen Coles, District One Superintendent was in the audience.

**FY 2007-2008 Budget Ordinance** – Mr. Pope and Mr. Huntley gave a brief overview of the Millage Projections and Updated Motion List. A discussion took place.

**POINT OF PERSONAL PRIVILEGE** – Mr. McEachern recognized Ms. Susan Brill was in the audience.

**Richland School District One: \$154,576,000 (FY07 appropriated \$149,722,082; EIA: \$156,609,298; Requested: \$160,327,584; Preliminary Cap: \$154,576,000)** – Ms. Richland County Council

Scott moved, seconded by Ms. Dickerson, to approve \$158,924,862 for this item. The vote in favor was unanimous.

**Richland School District Two: \$92,116,750 (FY07 appropriated \$80,012,448; EIA: \$88,314,825; Requested: \$92,116,750; Preliminary Cap: \$93,789,500)** – Ms. Scott moved, seconded by Ms. Dickerson, to approve \$94,801,475 for this item. The vote in favor was unanimous.

**Recreation Commission: \$9,477,646 (FY07 appropriated \$9,060,812; Requested: \$10,642,690; Preliminary Cap: \$9,477,646)** – Ms. Dickerson moved, seconded by Ms. Scott, to approve \$9,763,332 for this item. The vote in favor was unanimous.

**Midlands Technical College—Capital: \$1,225,000 (Requested value of 1 mill; approve funding level based on updated mill value)** – Ms. Smith moved, seconded by Ms. Dickerson, to approve \$1, 837,500 for this item. The vote in favor was unanimous. Mr. Livingston recused himself and did not participate in any discussion or vote relating to this item.

**Library: \$17,168,622 (FY07 appropriated \$16,331,228; Requested: \$17,335,359; Preliminary Cap: \$17,168,622)** – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve \$17,335,359 for this item and void the Hospitality Tax allocation that was approved at Second Reading of the budget. The vote in favor was unanimous.

**Mental Health: \$1,576,145 (FY07 appropriated \$1,539,014; Requested: \$1,588,262; Preliminary Cap: \$1,576,145)** – Ms. Smith moved, seconded by Ms. Dickerson, to increase the General Fund millage to accommodate a \$32,000 grant increase to Mental Health.

Mr. Montgomery made a substitute motion to take \$32,000 from the expected revenue from the General Fund with the capped millage.

Ms. Smith amended her motion to amend the General Fund by \$32,000 to award a grant to Mental Health. A discussion took place.

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Smith, to approve \$1,556,580 for this item. The vote in favor was unanimous.

**Conservation Commission: \$640,000 (Approve Funding Level based on updated mill; Requested: .5 mill; Approve Funding Level)** – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve \$605,000 for this item. The vote in favor was unanimous.

**Neighborhood Redevelopment: \$640,000 (Approve Funding Level based on updated mill; Requested: .5 mill; Approve Funding Level)** -- Mr. Montgomery  
Richland County Council

moved, seconded by Ms. Dickerson, to approve \$605,000 for this item. The vote in favor was unanimous.

**Stormwater Management: \$2,770,543 (Approved Funding Level includes six new positions—two are partially funded between other sources. Based on updated mill; approve .1 mill increase and reduce expenditures by \$195,582)** – Mr.

Montgomery moved, seconded Ms. Dickerson, to approve \$2,574,961 for this item. The vote in favor was unanimous.

**Mass Transit: Approve Fee reduced to \$10 for private and \$18 for commercial. Fee only charged once per individual/business unable to be calculated. CMRTA requesting \$3,194,189; current fee structure would generate \$4,284,000** – Mr.

Malinowski moved, seconded by Mr. Jackson, to reduce the transit fee from \$16 to \$10 on privately-owned vehicles and to use the \$578,413 Transportation Fee fund will be used to cover the reduction. This will end Richland County's obligation as originally established through fiscal year 2008 for Special Transportation Fee Funding. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Mr. Jeter, to maintain the fee at the current level. A discussion took place.

Ms. Smith made a second substitute motion, seconded by Mr. Montgomery, to defer the fee reduction issue until September. A discussion took place.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Jeter	Jackson
Smith	Hutchinson
Scott	McEachern
Montgomery	Dickerson
Livingston	

The second substitute motion passed.

Ms. Smith moved, seconded by Mr. Montgomery, to approve the budget of \$4,284,000.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Jackson	McEachern
Jeter	Hutchinson
Livingston	
Dickerson	
Smith	
Scott	
Montgomery	

The motion to approve the budget passed.

**Hospitality Tax: \$150,000 (Southeast Rural Community Outreach Ministry—one-time from undesignated hospitality tax funds; approved contingent upon MOU)** – Ms. Scott moved, seconded by Ms. Dickerson, to approve \$150,000 for this item and refer the Memorandum of Understanding to the A&F Committee.

Mr. Montgomery moved, seconded by Mr. Livingston, to remove the contingency that the Memorandum of Understanding be approved with the funding allocation. The vote in favor was unanimous.

**Human Resources: \$46,353 (Wellness Coordinator position—Options to be provided by Administration at 3<sup>rd</sup> Reading for corresponding reduction to General Fund)** – Ms. Scott moved, seconded by Mr. Montgomery, to defer this item until October in order to work on a program in collaboration with the University of South Carolina and Palmetto Richland. The vote in favor was unanimous.

**Auditor: \$87,750 (Chief Deputy Auditor Position—salary and associated benefits-Options to be provided by Administration at 3<sup>rd</sup> Reading for corresponding reduction to General Fund)** – Mr. Jackson moved, seconded by Mr. Malinowski, to approve this item.

Ms. Smith moved, seconded by Ms. Dickerson, to defer this item until September or October in order for the new Auditor to make an evaluation and to bring back a recommendation and assessment to Council and to have the new Auditor work with the Human Resources Department to be sure the position fits into the Class and Comp system of the County.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Hutchinson	Jackson
Livingston	Jeter
Dickerson	McEachern
Smith	Scott
Montgomery	

The motion for deferral passed.

**General Fund: Amount available for Council to allocate as needed - \$5,000 (Administration Recommendation to fund Voter Registration Part-time account)** – Ms. Scott moved, seconded by Mr. Montgomery, to allocate \$5,000 for Voter Registration's part-time account. The vote in favor was unanimous.

**Conservation Commission: Approve directing Conservation Commission to provide funding assistance to the Gills Creek Watershed group by providing \$50,000 to be used at the discretion of the Commission with Mr. Jim Wilson**

**supervising the use of those funds** – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

**Hospitality Tax: Approve Funding Distribution—County Promotions** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve \$6,500 for Center City Partnership. The vote was in favor.

**General Fund: Based on updated mill value, additional amount available for Council to allocate - \$236,000** – Ms. Smith moved, seconded by Mr. Montgomery, to apply the \$204,000 to lower the amount of fund balance used on one-time appropriations. The vote in favor was unanimous.

**FY2007-2008 Budget Ordinance** – Mr. Montgomery moved, seconded by Mr. Livingston, to approve this item as amended. The vote in favor was unanimous.

Mr. Montgomery moved, seconded by Ms. Smith, to reconsider this item. The vote was in favor.

Mr. Montgomery moved, seconded by Ms. Dickerson, to approve the budget ordinance as amended. The vote in favor was unanimous.

**POINT OF ORDER** – Ms. Scott and Ms. Dickerson thanked staff for all of their hard work during the budget process.

#### **CITIZEN'S INPUT**

No one signed up to speak.

#### **EXECUTIVE SESSION ITEMS**

Ms. Scott moved, seconded by Ms. Dickerson, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 8:08 p.m. and came out at approximately 8:37 p.m.**  
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Ms. Scott moved, seconded by Mr. Pearce, to come out of Executive Session. The vote in favor was unanimous.

- a. **TIF Update** – No action was taken.
- b. **Rowing Center** – Mr. Livingston moved, seconded by Ms. Dickerson, to move forward as discussed in Executive Session. The vote in favor was unanimous.

## MOTION PERIOD

**Judge Clemon Stocker Resolution** – Ms. Scott moved, seconded by Mr. Montgomery, to adopt a resolution for Judge Clemon Stocker in honor of his retirement. The vote in favor was unanimous.

**Northeast Richland Recreation Complex Work Session** – Ms. Dickerson moved, seconded by Mr. Montgomery, to schedule a work session for June 19<sup>th</sup> at 4:00 p.m. The vote in favor was unanimous.

**July Meeting Schedule** – Mr. Pearce moved, seconded by Mr. Jeter, to reschedule the July 3<sup>rd</sup> meeting until July 10<sup>th</sup>. The vote in favor was unanimous.

**Discretionary Account Policies** – Ms. Smith referred the draft proviso she circulated in regarding the policy on the discretionary accounts to the Rules & Appointment Committee.

**Electronic Agenda Update** – Mr. Montgomery requested an update from the Clerk on the status of the electronic agenda.

**Conservation Overlay District Regarding Crane Creek Water Shed** – Mr. McEachern moved, seconded by Ms. Dickerson, to refer this item to staff and have them bring back recommendations to the Planning Commission. The vote in favor was unanimous.

**Resolution Recognizing Tamara Abraham as a West Point Cadet** – Mr. Jackson moved, seconded by Ms. Scott, to adopt a resolution for Ms. Tamara Abraham. The vote in favor was unanimous.

**POINT OF ORDER** – Ms. Dickerson recognized that her nephew is up for the White House Fellowship.

**POINT OF PERSONAL PRIVILEGE** – Ms. Scott presented a pack of matches on behalf of Council to Mr. Pope.

**Accountability of Outside Agencies Funding** - Mr. Malinowski referred to the A&F Committee the issue of accountability of outside agencies requesting funding. The agency must submit a budget and every six months submit an audit of how the funding is being utilized.

**Policy Regarding Submission of Back-Up Data to Council Members** – Mr. Malinowski referred to the Rules & Appointment Committee the issue of Council members no longer accepting back-up materials on the day of Council meetings.

**Furniture Requests** – Mr. Malinowski referred to the A&F Committee the issue of County furniture purchases.

**Notification of Re-zoning Issues** – Mr. Malinowski referred to A&F Committee the issue of notifying Council members of re-zoning issues in their districts as soon as said request is received.

**Affordable Housing Trust Fund** – Mr. Jackson referred to the D&S Committee the formulation of an affordable housing trust fund.

**Joint Planning Commission** – Mr. Jackson referred to the D&S Committee to explore the possibility of a joint planning commission with the City of Columbia.

### ADJOURNMENT

The meeting adjourned at approximately 8:57 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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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley