

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 20, 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.

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 – Milton Pope, Tony McDonald, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Joseph Kocy, Michael Criss, Anna Almeida, Jennie Sherry-Linder, Brenda Carter, Betty Etheredge, Teresa Smith, Harry Reed, Chief Harrell, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

INVOCATION

The Invocation was given by the Honorable Bernice G. Scott

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bernice G. Scott

PRESENTATION

Dr. Caroline Whitson, Chair, Transportation Study Commission Update – Dr. Whitson gave a brief update on the progress of the Transportation Study Commission.

CITIZEN'S INPUT

The citizens were not permitted to speak since public hearings had previously been held for the discussion items.

ADOPTION OF AGENDA

Mr. Smith requested that the Farmers' Market—Contractual Matter be added under the Report of the County Attorney for Executive Session.

Mr. Malinowski stated that under the Report of the Rules and Appointments Committee the number of applicants for the Township Auditorium Board should be 2.

Mr. Jeter stated that Item 1 under the Report of the Economic Development Committee should be broken down into (a) Ordinance and (b) Assignment and Assumption of Fee-in-Lieu Agreement.

Mr. Montgomery moved, seconded by Ms. Hutchinson, to approve the agenda as amended.

APPROVAL OF MINUTES

Regular Session: November 6, 2007 – Mr. Malinowski stated that under the Motion Period, Holiday Drop-in for Elected Officials, the motion should read—Ms. Smith stated that Council could host a holiday drop-in for elected officials in the region.

Mr. Livingston moved, seconded by Ms. Dickerson, to approve the minutes as corrected. The vote in favor was unanimous.

Special Called Meeting: November 12, 2007 – Mr. Malinowski stated that the correct date was Monday, November 12th and that he was present at this meeting.

Mr. Montgomery moved, seconded by Ms. Scott, to approve the minutes as corrected. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Columbia Venture vs. FEMA**
- b. **NE Sanitary Landfill Settlement Negotiations**
- c. **Legal Advice: Tourism Development Fee**
- d. **Farmers' Market**
- e. **Project Y**
- f. **TIF Update**
- g. **Riverside Property Contract**

REPORT OF THE COUNTY ADMINISTRATOR

C-Fund Report – Ms. Teresa Smith gave a brief report regarding a letter that the County received stating that the CTC Program account was overcommitted and there was concern about moving forward with any projects that are funded through the C-Fund Program that are currently not under contract. A meeting was held on November 5th with South Carolina Department of Transportation, CTC and Richland County Public Works to discuss the status of the C-Fund Program.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Joint Planning Commission Meeting – Mr. McEachern stated that the Clerk's Office was working to schedule this meeting.

Legislative Delegation Meeting – Mr. McEachern stated that the Clerk's Office was working to schedule this meeting.

Business Summit – Mr. McEachern stated that the Clerk's Office was working to schedule this.

Domestic Violence Luncheon – Mr. McEachern stated he will be hosting a luncheon benefiting Sistercare on Wednesday, December 5th at 12:00 noon at Seawell's Restaurant.

PUBLIC HEARING ITEMS

There were no public hearings.

APPROVAL OF CONSENT ITEMS

Ms. Scott moved, seconded by Mr. Pearce, to approve the following consent items:

- **07-44MA, Garden Valley Subdivision, M-1 to PDD (7.33 Acres), Single Family Residential, 22906-03-48 & 49, North Springs Road [Third Reading]**

- **07-53MA, Church Properties, LLC, Viji Sashikant, NC to GC (.46 Acres), Home Cleaning Service, 16415-07-03, 1518 Leesburg Road [Third Reading]**
- **07-56MA, Saluda Dam, LLC, Mark Richardson, HI to GC (20.68 Acres), Residential Multi-Family Use, 07315-01-01 & 02, 4120 River Drive [Third Reading]**

THIRD READING ITEMS

07-43MA, Oak Hills, PDD to Amended PDD, Golf Course w/ Mixed Use Development, 09600-02-13 & 09600-03-01, 02, 03 – Ms. Scott moved, seconded by Mr. Montgomery, to defer this item. The vote in favor was unanimous.

Ordinance Amending Floodplain Overlay District; Subsection (d), Standards in the Floodplain; Paragraph (2), Specific Standards; Subparagraph (j) Fill; so as to allow the use of fill in the floodplain – Mr. Montgomery moved, seconded by Mr. Malinowski, to defer this item and schedule a work session in January. The vote in favor was unanimous.

SECOND READING ITEMS

07-52MA, Ashley Oaks Development, Mike Shelley (29.30 Acres), M-1 to RS-LD, Single Family Residential, 17700-01-13, Wilson Blvd. & Farrow Road – Ms. Dickerson moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

Ordinance Authorizing the Sale of Lot 10 in the Richland Northeast Industrial Park to the “Taylored Window, LLC” – Mr. Montgomery moved, seconded by Ms. Scott, to approve this item. A discussion took place.

The vote in favor was unanimous.

Ordinance Authorizing Fee Agreement, including payment of a fee-in-lieu of taxes, to Staples – Mr. Jeter moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

Amendment to Chapter 23, Taxation; Article VI, Local Hospitality Tax; Sections 23-69 & 23-71 – Mr. Montgomery moved, seconded by Mr. Pearce, to approve this item with the deletion of the amendment to Section 23-69(d) approved at First Reading. A discussion took place.

The vote was in favor.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Ordinance Authorizing International Truck and Engine Corporation FILOT Assignment

- a. **Ordinance authorizing Assignment and Assumption of Fee Agreement and Inducement Agreement and Millage Rate Agreement** – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.
- b. **Assignment and Assumption of Fee Agreement and Millage Rate Agreement** – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

KIRCO (Deferred from 11-06-07 EDC and Council Agendas)

- a. **Ordinance to include KIRCO property in the I-77 Corridor Regional Industrial Park** – Mr. Jeter stated that the committee recommended approval of this item. A discussion took place.

The vote in favor was unanimous.

- b. **Infrastructure Credit Agreement** -- Mr. Jeter stated that the committee recommended approval of this item. A discussion took place.

The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. 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. **Lexington/Richland Alcohol and Drug Abuse Council—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- c. **Richland Memorial Hospital Board—4** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Accommodations Tax Advisory Committee—2** – Mr. Montgomery stated that the committee recommended that staff re-advertise for these vacancies. The vote in favor was unanimous.
- b. **Board of Assessment Appeals—1** – Mr. Montgomery stated that the committee recommended that staff re-advertise for this vacancy. The vote in favor was unanimous.
- c. **Building Codes Board of Adjustments and Appeals—1** – Mr. Montgomery stated there was one applicant and one vacancy. The committee recommended appointing Mr. David A. Cook. The vote in favor was unanimous.
- d. **Business Service Center Appeals Board—5** – Mr. Montgomery stated that the committee recommended that staff re-advertise for these vacancies. The vote in favor was unanimous.
- e. **Employee Grievance Committee—1** – Mr. Montgomery stated that the committee recommended that staff re-advertise for this vacancy. The vote in favor was unanimous.
- f. **Township Auditorium Board—1** – Mr. Montgomery stated there was two applicants and one vacancy. The committee recommended appointing Mr. Andrew Nick Theodore. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION ITEMS

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

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Council went into Executive Session at approximately 7:05 p.m. and came out at approximately 9:16 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.

- a. **Columbia Venture vs. FEMA** – Mr. Pearce moved, seconded by Ms. Smith, to approve an ordinance, by title only, to establish a temporary moratorium on approval of floodplain management permits for development or construction within a portion of the Congaree Flood Plain. The vote was in favor.
- b. **N. E. Sanitary Landfill Settlement Negotiations** – Ms. Scott moved, seconded by Mr. Pearce, to approve the committee’s recommendation as discussed in Executive Session. The vote was in favor.
- c. **Legal Advice: Tourism Development** – No action taken.
- d. **Farmers’ Market** – The consensus of the Council was to go forward as discussed in Executive Session.
- e. **Project Y** – Mr. Jeter moved, seconded by Mr. Jackson, to accept the fee-in-lieu inducement resolution and the fee-in-lieu ordinance, by title only. The vote in favor was unanimous.
- f. **TIF Update** – No action taken.
- g. **Riverside Property Contract** – Ms. Smith moved, seconded by Mr. Montgomery, to authorize the Administrator to make a counteroffer accepting the current terms for the land and billboards, but to only pay the appraised value on the equipment.

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

The vote was in favor.

POINT OF PERSONAL PRIVILEGE – Ms. Scott expressed her condolences to Mr. Pearce and his family on the loss of his father-in-law.

MOTION PERIOD

Clean Air and Clean Water Committee – Ms. Hutchinson moved, seconded by Mr. Pearce, to have the Chairman appoint a committee of Council members to meet with Lexington County and City Council to discuss the issues of clean air, clean water and planning as soon as possible. The vote in favor was unanimous.

Bluff Road Enhancement Resolution – Ms. Scott moved, seconded by Mr. Jackson, to approve a resolution for the enhancement of Bluff Road. The vote in favor was unanimous.

Holiday Drop-in for Elected Officials – Ms. Smith suggested that the holiday drop-in with Lexington County Council, Columbia City Council, and other municipalities be held on Monday, December 17th from 7:00 to 9:00 p.m. at her home. Ms. Smith stated that the cost per person would be \$25.00.

Franchise Fees – Mr. Malinowski requested an update on his previous motion regarding franchise fees. Mr. Pope stated that it is on the November committee agenda.

Multi-Family House in General Commercial – Mr. Malinowski referred to the Planning Commission a proposal that a six month moratorium be enacted on housing within the General Commercial zoning for all upcoming zoning changes that would change the zoning to General Commercial. This change would allow the flexibility and applicability of quality housing and commercial development to take place hand in hand.

Farmers' Market – Mr. Jackson referred to the D&S Committee the possibility of a joint partnership with the City of Columbia and private entity for a Richland County Farmers' Market.

Ashley Ridge Punch List – Ms. Dickerson requested an update on her previous motion regarding the Ashley Ridge Punch List.

Dangerous Dog Ordinance – Ms. Hutchinson requested a report back to Council regarding the County's vicious animal ordinance.

ADJOURNMENT

The meeting adjourned at approximately 9:36 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

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The minutes were transcribed by Michelle M. Onley