

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 2, 2010 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	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Amelia Linder, Daniel Driggers, Dale Welch, David Hoops, Valeria Jackson, Jocelyn Jennings, Erica Hink, Alfreda Tindal, Betty Etheredge, Anna Almeida, Andy Metts, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:10 p.m.

INVOCATION

The Invocation was given by the Honorable L. Gregory Pearce, Jr.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable L. Gregory Pearce, Jr.

PRESENTATION

Engenuity – This item was moved to the March 16th meeting.

CITIZENS' INPUT

Ms. Deborah Green and Ms. Jennifer Bishop spoke in favor of Item #18—Ridgewood Streetscape Design.

APPROVAL OF MINUTES

Regular Session: February 16, 2010 – Mr. Malinowski stated that “lack of a quorum” needed to be added as the reason that the Rules and Appointments Committee meeting was not held.

Mr. Jeter moved, seconded by Ms. Hutchinson, to approve the minutes as amended. The vote in favor was unanimous.

Zoning Public Hearing: February 23, 2010 – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Ms. Dickerson moved, seconded by Mr. Manning, to add a Personnel Matter to the agenda. The vote in favor was unanimous.

Mr. Jeter moved, seconded by Mr. Washington, to add a Personnel Matter under Executive Session. The vote in favor was unanimous.

Mr. Malinowski stated that pp. 157-158 were duplicates of pp. 155-156.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

a. Personnel Matter—2

REPORT OF THE COUNTY ADMINISTRATOR

Township Property – Mr. Pope stated that he had followed up with the City of Columbia and the City Manager is forwarding the proposal to City Council. Mr. Pope will report back to County Council once a response is received from the City of Columbia.

Farmers' Market Settlement: Joint Resolutions in House and Senate – Mr. Pope stated the bills have been introduced in both the House and Senate and are moving through committees. Mr. Pope will give progress reports as the resolutions move through the legislative process.

Lower Richland Sewer Update – Mr. Pope stated that he is awaiting information from the City of Columbia and will present the matter to Council when available.

Mr. Manning asked that the record reflect that he was appalled and disgusted by this matter.

Census Update – The Public Information Office gave a brief update regarding this item.

REPORT OF THE CLERK OF COUNCIL

Crane Creek Watershed Meeting, March 4th, 6:30-8:00 p.m., Crane Creek Community Center, 7405 Fairfield Road – Ms. Finch stated that there will be a Crane Creek Watershed Meeting on March 4th from 6:30-8:00 p.m. at the Crane Creek Community Center.

Palmetto Health State of the Organization Annual Report – Ms. Finch stated that Palmetto Health will make their annual report at the April 20th Council meeting.

REPORT OF THE CHAIRMAN

No report was given.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Fiscal Year 2009-2010 General Fund Annual Budget to appropriate \$500,000 of additional revenue and expenditures to the non-departmental budget due to new accounting procedures associated with ambulance fee collections [THIRD READING]**
- **10-02MA, The View Subdivision, Joseph Younan, RU to RS-E (83.5 Acres), 12200-02-40 [formerly 12200-02-05(p)], Lorick Rd. [SECOND READING]**
- **Ordinance to allow subdivision of land off of a cross-access easement [SECOND READING]**
- **Bed and Breakfast Homes/Inns**
- **Grant for the 2009 State Criminal Alien Assistance Program**

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

SECOND READING

An Ordinance Authorizing a lease to Vulcan Construction Materials, LP, for approximately 10 Acres of land, which is a portion of Richland County TMS# 06500-01-11 – Ms. Dickerson moved, seconded by Mr. Washington, to approve this item.

Mr. Malinowski requested that the lease be provided at Third Reading.

Ms. Dickerson amended the motion to include the request for the lease.

The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Broad River Rowing Center – Mr. Jackson moved, seconded by Mr. Malinowski, to forward this item back to committee and to have the Administrator negotiate with the parties involved and report back to committee. The vote in favor was unanimous.

Farmers Market – Ms. Smith moved, seconded by Mr. Malinowski, to recommit this item back to committee. The vote in favor was unanimous.

Funding for Alternative Paving – Ms. Smith moved, seconded by Mr. Malinowski, to recommit this item back to committee. The vote in favor was unanimous.

Hopkins Community Water System – Ms. Smith moved, seconded by Ms. Dickerson, to approve this item and to authorize the County Administrator to approve change orders to either contract in the amount not to exceed \$100,000 provided the total construction cost does not exceed the budget.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Ridgewood Streetscape Design – Ms. Smith moved, seconded by Mr. Manning, to approve the Ridgewood Streetscape design to include the commercial corridor lighting. Two 5-year leases between SCE&G and Richland County will be signed. The County will provide the service, maintenance and installation fee for the 10-year period. A discussion took place.

The vote in favor was unanimous.

[Council recessed at 7:03 p.m. and reconvened at 7:07 p.m.]

Design Build Bio-Retention Rain Garden – Ms. Dickerson moved, seconded by Mr. Manning, to authorize the Neighborhood Improvement Program to proceed with the bio-retention rain garden design build process pending the costs. A discussion took place.

The vote in favor was unanimous.

Designated Historic Buildings Should be Exempt from Richland County Taxes and Permit Costs – Mr. Washington moved, seconded by Ms. Smith, to table this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax Committee—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
- b. **Appearance Commission—2** – Mr. Malinowski stated that the committee recommended advertising for these vacancies. The vote in favor was unanimous.
- c. **Board of Assessment Appeals—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—2** – Mr. Malinowski stated that the committee recommended re-appointing Mr. Wallace B. Cunningham and re-advertising for the remaining vacancy. The vote in favor was unanimous
- b. **Community Relations Council—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous
- c. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous
- d. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous
- e. **Planning Commission—1** – This item was held in committee.

III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Planning Commission Ordinance and Norman Jackson's motion to restructure the Planning Commission** – Mr. Malinowski stated that the committee recommended not amending the current ordinance.

Mr. Washington made a substitute motion, seconded by Mr. Jackson, to have an eleven member Planning Commission with each Councilmember appointing one person from their district. A discussion took place.

Ms. Smith made a second substitute motion, seconded by Mr. Pearce, to refer this item back to committee and consider the following three options: appoint members according to the planning areas/at-large; appoint members by council district or to retain the current make up of the Planning Commission. The options are to address the implementation plans. A discussion took place.

The vote in favor was unanimous.

OTHER ITEMS

Resolution Adopting the All Natural Hazards Risk Assessment and Mitigation Plan for the Central Midlands Region of South Carolina – Mr. Pearce moved, seconded by Mr. Jeter, to defer this item. The vote in favor was unanimous.

Report of Joint Transportation Ad Hoc Committee

- a. **CMRTA Resolution ARRA Funds and the IGA** – Ms. Dickerson stated that the committee recommended approving the resolution contingent upon legal review. The vote was in favor.
- b. **Proposed Work session—March 18th** – The committee recommended scheduling a joint City-County work session for March 18th from 4:00-6:00 p.m. A discussion took place.

<u>For</u>	<u>Against</u>
Malinowski	Pearce
Jackson	Manning
Hutchinson	Kennedy
Jeter	Smith
Livingston	
Dickerson	
Washington	

The vote was in favor.

CITIZEN'S INPUT

Ms. Patricia McKnight requested a legal opinion regarding the enforcement of a zoning ordinance.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 8:35 p.m. and came out at approximately 9:21 p.m.
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- a. **Personnel Matter—2** – No action was taken.

MOTION PERIOD

I move that we commence a compliance audit to determine if those companies granted economic development incentives by Richland County have complied with: (1) The terms of the incentive agreements between the County and the company; (2) The measures adopted by resolution of Richland County Council to ascertain local hiring and civic engagement [SMITH] – This item was referred to the Economic Development Committee.

Resolution to support and pursue funding for the Airport Boulevard (SC 302) Beautification Project in Partnership with the City of Cayce, City of West Columbia and Lexington County [LEXINGTON] – Ms. Dickerson moved, seconded by Mr. Manning, to approve this item. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Malinowski, to reconsider this item. The vote was in favor of reconsideration. A discussion took place.

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

Richland County fund the ceremony of the bridge renaming for the two young ladies who tragically died going home from work by resolution [JACKSON] – Mr. Jackson moved, seconded by Ms. Kennedy, to allocate up to \$500.00 from Council's Discretionary Account for this item. The vote in favor was unanimous.

Add Voter's Registration adjustment retroactive per Council discussion to the 2011 budget [JACKSON] – Mr. Jackson withdrew the motion.

Ensure that any negotiations with the Fire Department City and County makes a priority to keep ISO ratings and is in the best interest of the citizens and firefighters safety [JACKSON] – This item was referred to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 9:45 p.m.

Paul Livingston, Chair

Damon Jeter, Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Bill Malinowski

Jim Manning

L. Gregory Pearce, Jr.

Kit Smith

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley