

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 21, 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 – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Larry Smith, Daniel Driggers, David Hoops, Quinton Epps, Dale Welch, John Hixson, Amelia Linder, Anna Almeida, Sara Salley, Valeria Jackson, Tiaa Rutherford, Andy Metts, Ray Peterson, John Cloyd, Jenetha Randle, Sharon Kimpson, Liz McDonald, 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 Kit Smith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kit Smith

APPROVAL OF MINUTES

Regular Session: September 7, 2010 – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated that an additional item entitled: “Neighborhood Planning Conference” needed to be added under the Report of the County Administrator.

Mr. Manning stated that the page #s for Item #17 were incorrect. The correct page #s were pp. 72-73.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

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Council went into Executive Session at approximately 6:12 p.m. and came out at approximately 6:29 p.m.
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- a. **Darrel’s vs. Richland County** – No action was taken.
- b. **Solid Waste Contractual Matter** – No action was taken.

CITIZENS’ INPUT
(For Items on the Agenda Not Requiring a Public Hearing)

No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Mr. Livingston recognized Ms. Sharon Pierre and her children from Trinidad West Indies.

REPORT OF THE COUNTY ADMINISTRATOR

Strategic Plan Update – Mr. Pope stated that the 2nd Quarterly Report of the Strategic Plan was forwarded to Council. Mr. Pope requested that any comments or suggestions regarding this information be forwarded to staff.

Employee Recognition – Mr. Pope recognized Ms. Jenetha Randle on her retirement from Richland County after 30 years of service.

Lower Richland Sewer Update – Mr. Pope stated this item would be taken up under the Report of the Economic Development Committee.

Neighborhood Planning Conference – Ms. Tiaa Rutherford stated that the Neighborhood Planning Conference will be held on October 2, 8:30 a.m.-2:00 p.m. at the State Archives Building on Parklane Road. There will be three keynote speakers: Richland County Council Chair Paul Livingston, Mayor Steve Benjamin and Sheriff Leon Lott.

REPORT OF THE CLERK OF COUNCIL

Chamber of Commerce Annual Gala – Ms. Finch stated that the Chamber of Commerce Gala will be held September 29.

Urban League – Ms. Finch stated that the Columbia Urban League Dinner will be held October 26 at the Convention Center, 6:00 p.m.—Reception; 7:00—Dinner.

SCAC Classes – Ms. Finch stated the SC Association of Counties Fall meeting of the County Council Coalition will be held Friday, October 15th at Embassy Suites. Institute of Government classes will be held on October 14th.

Pride Movement Plaque – Ms. Finch stated that the SC Pride Movement presented Councilman Manning on behalf of Richland County Council with a plaque honoring Richland County as a Community Partner of the Year.

NAMI – Ms. Finch stated that Council received an invitation from NAMI to attend a National Day of Prayer for Recovery. The event will be held October 5th, 11:45 a.m.-1:00 p.m. at the Ebenezer Lutheran Church, 1301 Richland Street.

Transitions – Ms. Finch stated that Council received an invitation from the Midlands Housing Alliance to attend Transitions Cornerstone Ceremony on October 6 at the Holy Trinity Creek Orthodox Church Fellowship Hall, 1931 N. Sumter Street; 8:00 a.m.—Continental Breakfast; 8:30-9:30 a.m.—Program.

Patients Choice Awards – Ms. Finch stated that Council received an invitation and funding request regarding the 5th Annual Patients Choice Awards Banquet. The event will be held November 12, 7:00 p.m. at the Brookland Banquet and Conference Center.

REPORT OF THE CHAIRMAN

National Community Planning Month Proclamation – Mr. Jeter moved, seconded by Ms. Dickerson, to accept the proclamation naming October National Community Planning Month. A discussion took place.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson thanked all of those who attended her book signing.

PRESENTATION

Columbia Home Builders Association: Cory Lorick – Mr. Cory Lorick gave a brief overview of the C-Core Mentoring Program.

APPROVAL OF CONSENT ITEMS

- **An Ordinance authorizing the County to execute and deliver a Master Park Agreement for the creation and maintenance of a multicounty business or industrial park between Richland County, South Carolina, and Fairfield County, South Carolina; and other related matters [THIRD READING]**
- **An Ordinance authorizing Richland County, South Carolina to issue, from time to time or at one time, in one or more issues or series, its revenue bonds, in an aggregate principal amount not to exceed \$20,000,000 (the "Bonds"), the proceeds of which will be used to finance the acquisition, construction and renovation of certain property to be used in connection with the Eastover, South Carolina Mill of International Paper Company, consisting of capital improvements, including, but not limited to, any recovery zone property, pulp mill and power facilities, paper production facilities and related facilities, at the mill pursuant to Section 4-29-10 Et Seq. of the 1976 Code of Laws of South Carolina, as amended; authorizing the execution and delivery of a contract of purchase providing for the issuance, sale and purchases of such bonds; and authorizing the issuance of the bonds and the execution of necessary documents and the taking of any other action necessary to be taken by Richland County, South Carolina to cause the issuance and sale of such bonds [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, through truck traffic prohibited; Subsection (A); so as to prohibit through truck traffic and N. Donar Drive and Prima Drive in Richland County, South Carolina [THIRD READING]**
- **10-20MA, Capital Development Partners, LLC, Mark James, M-1 to GC (1.02 Acres), Bluff Rd. & Blair St., 11115-06-03 [THIRD READING]**
- **10-21MA, Lexington Land Development Co., LLC, Benjamin Kelly, HI to GC (4.05 Acres), Clemson Rd. & Longreen Parkway, 17400-05-30 & 31 [THIRD READING]**

- **10-22MA, Waffle House, Butch Baur, HI to GC (.349 Acres), Bluff Rd., 11283-10-01 [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction; Definitions; Section 26-22, Definitions; so as to define dormitories, hotels, motels, transient lodging, and primary campus [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 23, Taxation; Article VI, Local Hospitality Tax; Section 23-69, Distribution of Funds; Subsection (3); and Section 23-71, Oversight and Accountability; so as to improve accountability of Hospitality Tax Agencies [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$211,347 of General Fund Undesignated Fund Balance to Non Departmental for Grant Match Funds based on Attachment A [SECOND READING]**

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

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Establish an Ad-Hoc Committee to work with the City of Columbia to make a recommendation on an ordinance to restrict operating hours of establishments that serve alcohol – Ms. Dickerson stated that the committee recommended deferring this item in the Administration & Finance committee. A discussion took place.

The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT

Lower Richland Sewer Update – Mr. Pearce stated that the committee recommended deferring this item until the September 28th Special Called Council meeting contingent upon the information being made available by September 24th. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- a. **Midlands Workforce Development Board—6** – Mr. Malinowski stated that the committee recommended retaining this item in committee until Ms. Bonnie Austin reports back to the committee.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Attorney General's Opinion Re: Voter's Registration and Election Commission** – Mr. Malinowski stated that the committee retained this item in committee.
- b. **Bonding attorneys are to limit their presentations to answering the question asked and only providing the facts of a specific bond. They are not to provide support for or forecast possible future need for the item the bond is being sought. No personal opinion or interjection is to be given [MALINOWSKI]** – Mr. Malinowski stated that the committee recommended that the Administrator, in concert with the County Attorney, will advise all outside counsel to refrain from providing their personal opinion during their presentation. A discussion took place.

Ms. Smith made a substitute motion, seconded by Mr. Jeter, to table this item. The vote was in favor.
- c. **Clarification of the Rule regarding motions during the Special Called Meeting [MALINOWSKI]** – Mr. Malinowski stated that the committee recommended that Council abide by the current Council Rules and that the agenda will only include: Call to Order, Invocation, Item(s) for Action and Adjournment. The vote in favor was unanimous.
- d. **Financial System Access for Council members [WASHINGTON]** – Mr. Malinowski stated that the committee retained this item in committee pending further information from staff. The vote was in favor.

OTHER ITEMS

Village at Sandhill Extension – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place.

The vote in favor was unanimous.

CITIZEN'S INPUT (Must Pertain to Items Not on the Agenda)

Mr. Don Gordon spoke regarding his garbage service.

Council recessed at 7:06 p.m. to hold the Special Called Zoning Public Hearing and reconvened at 7:16 pm.

MOTION PERIOD

Cabin Creek Road—Bridge Signs [WASHINGTON] – This item was referred to the D&S Committee.

Resolution acknowledging October 3-9 National Mental Illness Awareness Week – Mr. Washington moved, seconded by Mr. Malinowski, to adopt a resolution acknowledging October 3-9 as National Mental Illness Awareness Week.

Move that Council reduce the Hospitality Tax by ½ penny [HUTCHINSON] – This item was referred to the A&F Committee.

Richland County explore the benefits of accepting SCDOT roads into the County system. Maintenance, resurfacing, etc. [JACKSON] – This item was referred to the D&S Committee.

A motion to work with the City of Columbia to continue transportation services to Lexington County for at least 30-45 days until an amended agreement can be finalized between the City of Columbia, Lexington County and Richland County. [DICKERSON] – Ms. Dickerson moved for unanimous consent of this item. The vote in favor was unanimous.

Garbage Service Pick-Up Procedures [MALINOWSKI] – Mr. Malinowski moved for unanimous consent to send this item to committee. The vote in favor was unanimous. This item was referred to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:46 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