

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 19, 2011 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:

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| 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 | Seth Rose |
| Member | Kelvin Washington |

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Melinda Edwards, Larry Smith, Dale Welch, John Hixon, Andy Metts, Ray Peterson, Valeria Jackson, Jocelyn Jennings, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

INVOCATION

The Invocation was given by the Honorable Bill Malinowski

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson recognized Ms. Kim Murphy, Lexington/Richland School District Five Board member, was present in the audience.

PRESENTATION OF RESOLUTIONS

Keenan High School Boys Basketball Team – Ms. Kennedy presented the Keenan High School Boys Basketball Team members with a resolution honoring them for their consecutive State Championship win.

Thomasina Briggs, Appearance Commission Service – Mr. Rose presented Ms. Thomasina Briggs with a resolution honoring her longstanding dedication to the Appearance Commission.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Representative Joe McEachern was in the audience.

APPROVAL OF MINUTES

Regular Session: April 5, 2011 – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope stated a Report from Community Development regarding Community Development week needed to be added under the Report of the County Administrator.

Mr. Smith stated that Report of the Redistricting Ad Hoc Committee needed to be added to the agenda.

The amended agenda was unanimously adopted.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

There were no items for Executive Session.

CITIZENS' INPUT

Ms. Virginia Sanders spoke regarding the Caughman Creek Property.

REPORT OF THE COUNTY ADMINISTRATOR

Decker Mall Update – Mr. Pope stated that due diligence on the property is proceeding and he would provide Council with any necessary additional information.

Alvin S. Glenn Drop-Off Locations – Mr. Pope stated he had e-mailed to Council a proposed response to CMRTA's request for information.

Caughman Creek Property – Mr. Pope stated he communicated with the Recreation Commission and will forward their official response to Council.

Budget Work Sessions – Mr. Pope reminded Council that the budget work sessions will begin on May 3rd wherein he will present the proposed budget to Council.

Economic Development Director Update – Mr. Pope stated that a copious amount of applications were received and the interview process will begin in the near future. Mr. Pope further stated that EDC would be involved during the process as previously discussed.

Employee Grievance – Mr. Malinowski moved, seconded by Ms. Hutchinson, to uphold the Administrator's recommendation. The vote was in favor.

Employee Recognition – Mr. Anthony Langford, Richland County Utilities Coordinator, was awarded the 2011 State Water Operator of the Year award by the Water Environment Association of South Carolina.

Richland 101 – Mr. Pope stated that Richland 101 a 6-week program, which showcases the inter-workings of Richland County Government, begins April 25.

Community Development Week – Ms. Jackson updated Council on Community Development week and presented a brief presentation of projects Community Development has been involved in.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

Jail Advisory Ad Hoc Committee – Mr. Livingston appointed Ms. Dickerson, Mr. Rose and himself to the Jail Advisory Ad Hoc Committee.

APPROVAL OF CONSENT ITEM

- 11-03MA, Ram'on Wideman, RM-MD to OI (1.38 Acres), 5326 Ridgeway St., 09310-05-17/18/19/22 [THIRD READING]
- An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$500,000 of General Fund Undesignated Fund Balance to Risk Management for the County's liability claims [SECOND READING]
- An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$227,000 of General Fund Undesignated Fund Balance to Non-Departmental for the County's Unemployment Bill [SECOND READING]
- An Ordinance Amending the Fiscal Year 2010-2011 General Fund Budget to appropriate \$70,000 of General Fund Undesignated Fund Balance to the County Attorney for Redistricting Ad Hoc Committee [SECOND READING]

Mr. Jeter moved, seconded by Ms. Hutchinson, to approve the consent item. The vote in was unanimous.

Mr. Jeter moved, seconded by Ms. Hutchinson, to reconsider the following item: 11-03MA, Ram'on Wideman, RM-MD to OI (1.38 Acres), 5326 Ridgeway St., 09310-05-17/18/19/22. The motion failed.

SECOND READING

An Ordinance Amending the Fiscal Year 2010-2011 Hospitality Tax Annual Budget to appropriate \$245,000 of Hospitality Tax Reserved Fund Balance for the Regional Sports Complex Study – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS #25600-03-16, also known as 199 Newland Road – Mr. Malinowski moved, seconded by Ms. Dickerson, to give First Reading approval to this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Amendment to Covenants and Restrictions – Mr. Washington stated the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—3** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- b. **Appearance Commission—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.
- c. **Building Codes Board of Adjustments and Appeals—4** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- d. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended re-appointing Ms. Vivian McCray. The vote in favor was unanimous.
- e. **Hospitality Tax Committee—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.
- f. **Internal Audit Committee—2** – Mr. Malinowski stated that the committee recommended appointing Ms. K. Eve McCoy. The vote in favor was unanimous.
- g. **Township Auditorium—1** – Mr. Malinowski stated that the committee recommended appointing Ms. Judy M. Battiste. The vote in favor was unanimous.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **If Council intends to attempt another try at a Referendum for a penny sales tax increase, all Council members shall hold public meetings to get public input before making a final decision whether to move forward or not. Public input shall determine how proceeds from the tax will be spent and the term of the tax. This process should be given enough time to make sure it does not appear rushed or at the last minute.**

Reason: If approved, the citizens will be paying for this and we are only the representatives of the people's will and so we shall do everything that's in the best interest of the people we serve.

Transparency: This process whether it is approved and passes or not will give comfort to our constituents that we are not hiding anything by revealing up front everything that would be done with that tax. [JACKSON] – This item was held in committee to obtain additional/alternative language.

- b. That all Ordinance changes and text amendments be reflected on the County website no later than 30 days after approval by Council. Presently some ordinance changes that law enforcement may have a need for do not reflect current wording [MALINOWSKI]** – This item was held in committee.
- c. All motions shall be made from Council members only and any request or modification or amendments from staff should be sponsored by a Council member. All changes or addition to any document shall be highlighted or shown in a different color [JACKSON]** – Mr. Malinowski stated that the committee recommended the following language: “All changes or additions approved by the full Council to any document or action shall be underlined and the old wording struck through.” The vote in favor was unanimous.
- d. Manage the number of motions made by Council members during the Motion Period [LIVINGSTON]** – This item was held in committee.
- e. All checkmarks placed for recommendation or denial of a particular item on the Council agenda will require a comment to show why such decision was made (No more blanks) [MALINOWSKI]** – This item was held in committee.
- f. That all meetings Council members are advised of will automatically be placed on those Council members’ calendars who request this service, whether or not they “accept” the invite [MALINOWSKI]** – This item was withdrawn by the maker of the motion.
- g. In light of some recent FOIA requests staff should create a policy addressing requests stating they are in the interest of the public and, therefore, the requester should not be charged. Just because a media person or attorney makes a request does not automatically make it in the interest of the public. It should be incumbent on the requester to show that. [MALINOWSKI]** – This item was held in committee until the current FOIA policy is provided to the committee for review.

h. Personnel Matter: Evaluation Forms –

- 1. Clerk of Council** – Mr. Malinowski stated that the committee recommended amending Mr. Tomes current contract and allow him to create updated job descriptions for the three (3) clerical positions currently. The vote in favor was unanimous.
- 2. County Administrator** – Mr. Malinowski stated that the committee recommended that the evaluation instrument provided by Mr. Tomes be approved with the additional language at the end of the “Instructions” as follows: “after it has been discussed with the full Council.” The vote in favor was unanimous.

OTHER ITEMS

REPORT OF THE REDISTRICTING AD HOC COMMITTEE:

Mr. Manning stated that the committee recommended approval of the timeline and criteria presented by Willoughby & Hoefler with public hearings being held on May 10th—Chambers, May 15th—Lower Richland, May 18th—Richland NE, Keenan High School/Blythewood, and May 26th—Broad River, Irmo, Northwest area. The vote in favor was unanimous.

A Resolution to Appoint and Commission Allison Whittle as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

A Resolution to Appoint and Commission Ryan Tanner Miller as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve this item as amended. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

MOTION PERIOD

Resolution honoring Mary Jane Henderson for her 30 years of service to Soil and Water Conservation as Education Coordinator [HUTCHINSON] – Mr. Jackson moved, seconded by Ms. Dickerson, to approve a resolution honoring Ms. Mary Jane Henderson for her service to the Soil & Water as the Education Coordinator. The vote in favor was unanimous.

Council endorses moving the Sheriff Department's Region Two Office to Decker Mall and that the remaining bond dollars be designated as renovation monies for the County's Decker property [MANNING] – This item was referred to the A&F Committee.

According to the Richland County Council's Individual expense account policy guidelines, "The funds are intended to be used as a general government reimbursement expense fund. I make a motion that Council amend the policy to and direct the County Administrator to incorporate a credit card program for council members in the budget process. The program should provide each council member with a credit card. Members would be required to provide receipts associated with expenditures at the end of the month. In cases where the transaction involves a business does not accept a credit card, Council members would be able to get a counter check processed at any Bank of America location. This would allow the council members to have a more immediate access to funds rather than waiting on a check to be issued and would provide the County a small savings from the cost of writing a check. [JETER, LIVINGSTON, WASHINGTON] – This item was referred to the A&F Committee.

To seek additional funding for the 20th Anniversary of the Black Expo [LIVINGSTON] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:25 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.

Seth Rose

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley