

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MAY 17, 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.*

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### 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	Seth Rose
Member	Kelvin Washington

**OTHERS PRESENT** – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Larry Smith, Anna Fonseca, Amelia Linder, Daniel Driggers, Dale Welch, Kevin Etheridge, 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 L. Gregory Pearce, Jr.

### PLEDGE OF ALLEGIANCE

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

### PRESENTATION OF RESOLUTION

**Blythewood Middle School** – Ms. Dickerson presented a resolution to Blythewood Middle School honoring them for being redesignated as a School to Watch by the National Forum to Accelerate Middle Grades Reform for the second time.

### APPROVAL OF MINUTES

**Regular Session: May 3, 2011** – Mr. Malinowski stated that the vote on p. 6 of the minutes should reflect that he voted in favor of the motion.

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

### ADOPTION OF AGENDA

Mr. Washington stated that Black Expo Funding needed to be added under the Report of Economic Development Committee.

Mr. Malinowski stated that Item #12 needed to be removed from the Consent Agenda and placed under Second Reading Items.

Mr. Pearce stated that Distribution of County Administrator Evaluation Forms needed to be added under the Report of the Chairman.

Mr. Smith stated that an Economic Development legal briefing and CMRTA IGA Negotiations needed to be added under the Report of the Attorney for Executive Session Items.

Mr. Jeter 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

**Economic Development—Legal Advice** – No action was taken.

**CMRTA IGA Negotiations** – No action was taken.

### CITIZENS' INPUT

No one signed up to speak.

## REPORT OF THE COUNTY ADMINISTRATOR

**Employee Grievance [ACTION]** – Mr. Pearce moved, seconded by Mr. Malinowski, to uphold the Administrator's recommendation. The vote in favor was unanimous.

**Recreational Event** – Mr. Pope stated that the Columbia Rowing Club will be hosting two regattas: The Broad River Sculls on May 28<sup>th</sup> and the Head of the Broad on October 8<sup>th</sup> at the Rowing Center.

**Glory Communications Recognition** – Mr. Pope stated this item is to be rescheduled.

**Joint Economic Development Committee Meeting, June 1<sup>st</sup>, 2-4 p.m., City of Columbia** – Mr. Pope stated that the Joint Economic Development Committee meeting will be held on June 1<sup>st</sup> from 2-4 p.m. at the City of Columbia.

**2011 Historic Preservation Award** – Mr. Pope stated that the Township received the 2011 Historic Preservation Award for excellence in New Construction in a Historic Context.

**Redistricting** – Mr. Pope stated that per Council's request the Redistricting information has been added to the County's website.

**Budget** – Mr. Pope stated that the Budget staff had distributed additional information.

## REPORT OF THE CLERK OF COUNCIL

No report was given.

## REPORT OF THE CHAIRMAN

**Central Midlands Council of Governments Letter re: Additional Board Member** – Mr. Livingston stated that according to the 2010 Census Richland County is entitled to an additional member on the CMCOG Board and suggested that Mr. Pope be considered for the additional position.

**County Administrator's Evaluation** – Mr. Pearce distributed postage paid envelopes and copies of the Administrator's evaluation form to Council in order for Council to submit the completed forms to the consultant by the May 31<sup>st</sup> deadline.

## PRESENTATION

**Neil McLean, EngenuitySC** – Mr. McLean gave a brief presentation regarding the NuHub.

### OPEN/CLOSE PUBLIC HEARINGS

- 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 – No one signed up to speak.

### APPROVAL OF CONSENT ITEM

- 11-04MA, Elias Dib, OI to NC (1.29 Acres), Hardscrabble Rd. & Summery Valley Dr., TMS # 17216-10-22(p) [THIRD READING]
- An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-185, Temporary and Accessory Uses; Subsection (B), Accessory Uses and Structures (Customary); Paragraph (1), General Standards and Limitations; Subparagraph (D); so as to provide size restrictions for accessory structures in the RU (Rural) District [THIRD READING]
- An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Section 6-96 and Section 6-97 of Article IV, Electrical Code; and Section 6-192 of Article XI, Energy Conservation Code, so as to codify the 2008 Edition of the National Electrical Code and the 2006 Edition of the International Energy Conservation Code, and to correctly reflect the 2006 International Residential Code in other sections of Chapter 6 [SECOND READING]
- An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; by the addition of Article VI, Equal Enjoyment and Privileges to Public Accommodations; so as to prohibit discrimination in the equal enjoyment and privileges to public accommodations [SECOND READING]
- An Ordinance Authorizing the issuance and sale of not to exceed \$2,000,000 General Obligation Bonds, Series 2011A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [SECOND READING]

Ms. Dickerson moved, seconded by Ms. Kennedy, to approve the consent item. The vote in was unanimous.

### THIRD READING

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

Mr. Pearce moved, seconded by Mr. Malinowski, to reconsider this item. The motion failed.

### SECOND READING

**An Ordinance Authorizing a lease to South Carolina Historic Aviation Foundation for temporary use of the Curtiss-Wright Hangar at the Jim Hamilton-LB Owens Airport** – Mr. Pearce moved, seconded by Mr. Jeter, to approve this item. The vote was in favor.

### REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**PCO Jenkins Brothers Road, LP Assignment** – Mr. Washington stated the committee recommended approval of this item. The vote in favor was unanimous.

**Request for Amendment to Covenants and Restrictions** – Mr. Malinowski moved, seconded by Ms. Kennedy, to accept staff's recommendation to deny the amendment to the covenants and restrictions. The vote was in favor.

**Black Expo** – Mr. Washington stated that the committee recommended funding \$9,000 from the FY11 Hospitality Tax Round II funds for the Black Expo.

Ms. Dickerson made a substitute motion to approve funding \$5,000 from the FY11 Hospitality Tax Round II funds for the Black Expo. The motion died for lack of a second.

A discussion took place.

The vote was in favor of funding \$9,000 from the FY11 Hospitality Tax Round II funds.

### REPORT OF RULES AND APPOINTMENTS COMMITTEE

#### I. NOTIFICATION OF VACANCIES

- a. **Accommodations Tax Committee—2** – Mr. Malinowski stated that the committee recommended advertising for these positions. The vote in favor was unanimous.

## II. 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, Landscaper—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—5** – 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. Josephine A. McRant. 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 – 1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.

## CITIZEN'S INPUT

No one signed up to speak.

## MOTION PERIOD

**To discuss the Greater Columbia Chamber request to create an independent review task force to improve the business climate in the City of Columbia and Richland County [LIVINGSTON]** – This item was referred to the D&S Committee.

**Motion to address the effect of landscaping on non-profit organizations vs. commercial properties and certificate of occupancy. (Rural vs. Urban Landscaping) [JACKSON]** – This item was referred to the D&S Committee.

**To donate the Woodrow Wilson Home and the Hampton Preston Mansion to a non-profit organization that can handle its historic value and solicit funding from a larger area of funders. Or create such organization and turn over all title and responsibility [JACKSON]** – This item was referred to the A&F Committee.

Mr. Jeter submitted a recusal form regarding an item on the FY11-12 Budget.

**ADJOURNMENT**

The meeting adjourned at approximately 7:38 p.m.

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Paul Livingston, Chair

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Damon Jeter, Vice-Chair

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The minutes were transcribed by Michelle M. Onley