



# **RICHLAND COUNTY COUNCIL RULES AND APPOINTMENTS**

Valerie Hutchinson	Bill Malinowski, Chair	Kelvin Washington
District 9	District 1	District 10

**DECEMBER 15, 2009  
4:00 PM**

**Administration Conference Room**

## **CALL TO ORDER**

### **Approval Of Minutes**

1. December 1, 2009

### **Adoption Of Agenda**

- 2.

### **Items For Action**

3. Motion for presentations to be held on the 3rd Tuesday of the month
4. Planning Commission Members and Occupations
5. Staggered Terms for CMRTA Board Appointees

### **Discussion**

6. Any amendments made to an agenda or minutes will be reflected in the following meetings minutes so that persons reviewing them will have complete information regarding any changes that took place. [Malinowski]
7. Reports of officials at council meetings should be a report and not a loophole for presentations. Individuals can give summaries in a minute or two. Power point presentations and reports that last more than tow minutes should be considered a presentation and done through the correct format set up for presentations to council. [Malinowski]

### **Other Items**

### **Adjournment**



# Richland County Council Request of Action

**Subject**

December 1, 2009

**Purpose**

# Minutes of



## RICHLAND COUNTY COUNCIL RULES AND APPOINTMENTS COMMITTEE DECEMBER 1, 2009 4:00 PM

### MEMBERS PRESENT:

**Member** Chair, Bill Malinowski  
**Member** Valerie Hutchinson  
**Member** Kelvin Washington

**ALSO PRESENT-** Paul Livingston, Greg Pearce, Amelia Linder, Larry Smith, Monique Walters

### CALL TO ORDER

The meeting was called to order at approximately 4:08 p.m.

### APPROVAL OF MINUTES

The minutes from November 3, 2009 and November 17, 2009 were approved unanimously.

### ADOPTION OF AGENDA

The agenda was adopted with the addition of the application of Mr. Rick Patel.

### INTERVIEWS

**Board of Assessments and Appeals-1**—there were two applicants for this position; the applicants were Veronica Green-Strong and Chalon Shepard Headley, II; the committee recommended Chalon Shepard Headley for appointment to the board.

**Lexington/Richland Alcohol and Drug Abuse Council-2**—the applicants for the two positions on this council were Paul R. Bouknight, incumbent; Roosevelt Garrick, also an

incumbent, and Veronica Green-Strong. The Committee recommended both incumbents be re-appointed.

**Midlands Regional Convention Center Authority-1**-there was one position and two applicants applying to this board; the applicants were Veronica Green-Strong and Rick Patel; the committee recommended Mr. Patel be appointed to this board.

**Richland Memorial Hospital Board-3**-there were five persons applying to this board; Bill Bradshaw (incumbent), Wallace Brown, Sr., Calvin H. Elam, Charles E. Offutt, and Jerome (Jerry) Odom (incumbent). The committee recommended both incumbents be re-appointed and Calvin Elam be appointed to the positions.

**Riverbanks Parks Commission-1**-there were two applicants interested in the position for this commission; the applicants were M. F. Phil Bartlett and Veronica Green-Strong; the committee recommended Mr. Phil Bartlett.

### ITEMS FOR ACTION

**Any Executive Session item involving an outside attorney or consultant hired outside the normal scope of a regular contract by Richland County will be taken up first so that attorney or consultant is not waiting for matters receiving unnecessary compensation****[Amended language]**-the committee reviewed the amended language and recommended approval, and the amended language be forwarded to council.

### DISCUSSION

**Planning Commission Members and Occupations-** Amelia Linder recommended the ordinance creating the commission be amended, and stated she would prepare a draft for the next Rules and Appointments Committee meeting. The committee recommended this item stay in committee and be brought back as an action item at the next committee meeting.

### ADJOURNMENT

The meeting adjourned at approximately 5:28 pm.

Minutes transcribed by Monique Walters

# Richland County Council Request of Action

**Subject**

**Purpose**

# Richland County Council Request of Action

**Subject**

Motion for presentations to be held on the 3rd Tuesday of the month

**Purpose**

**From:** ELIZABETH MCLEAN  
**Sent:** Friday, October 02, 2009 10:51 AM  
**To:** MONIQUE WALTERS  
**Cc:** LARRY SMITH  
**Subject:** RE: Draft for Presentations-council rule  
Monique,

This is what I came up with. What do you think?

Suggested Language:

Presentations – All presentations before Council shall be a maximum of five (5) minutes, including questions and answers, and shall be heard on the third Tuesday of the month; provided, however, presentations of economic issues may be heard at any regular or special called meeting of Council. All presentations, regardless of topic, shall be approved by the Chair before placement on any Council agenda. No presentation shall be heard which is not on the Council agenda prior to the start of the meeting.

**Elizabeth McLean**

Assistant County Attorney  
Richland County Attorney's Office  
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RECIPIENT(S)

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**From:** MONIQUE WALTERS  
**Sent:** Friday, October 02, 2009 9:47 AM  
**To:** ELIZABETH MCLEAN  
**Subject:** Draft for Presentations-council rule

Hey Beth,

Here is what I have according to my notes. What the committee is trying to do is draft a rule for presentations to be placed on the second council meeting of the month, which is the third Tuesday of the month; but they also want it worded so that items of economic nature that are time sensitive could be placed on the agenda if necessary.

Thank you.

Presentations – All presentations before Council shall be a maximum of five (5) minutes, including questions and answers, and shall be heard on the third Tuesday of the month; provided, however, presentations of ~~economic issues~~ time sensitive matters, as determined by unanimous consent of Council may be heard at any regular or special called meeting of Council. All presentations, regardless of topic, shall be approved by the Chair before placement on any Council agenda. No presentation shall be heard which is not on the Council agenda prior to the start of the meeting.

# Richland County Council Request of Action

**Subject**

Planning Commission Members and Occupations

**Purpose**

# DRAFT

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-10HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES; SECTION 2-326, BOARDS AND COMMISSION CREATED AND RECOGNIZED; SUBSECTION (B), THE RICHLAND COUNTY PLANNING COMMISSION; SO AS TO SPECIFY THE BACKGROUND REQUIREMENTS FOR CERTAIN MEMBERS OF THE COMMISSION.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and commissions created and recognized; Subsection (b), The Richland County Planning Commission; is hereby reorganized and amended as follows:

(b) *The Richland County Planning Commission.*

- (1) The commission shall consist of ~~not less than five (5) or more than nine (9)~~ members, appointed by the county council for a term of four (4) years. Two (2) members shall be appointed from the development community and two (2) members shall be appointed from the environmental community, and may live in either the incorporated or unincorporated area of the County. In addition, five (5) members shall be appointed from only the unincorporated areas of the County as follows: one (1) member that resides in the Northwest quadrant of the County, one (1) member that resides in the Southwest quadrant of the County, one (1) member that resides in the Northeast quadrant of the County, and two (2) at-large members. None of the latter five members shall represent, be associated with, or be perceived to represent, be associated with or influenced by either the environmental or development community. Any person who is appointed to the commission after September 1, 2006 must reside in Richland County. ~~In appointing members to the commission, council shall give due consideration as to whether applicants live in an incorporated or unincorporated area of the County.~~
- (2) In addition, council shall also consider an applicant's professional expertise, knowledge of the community, and his or her concern for the future welfare of the total community and its citizens. No member of the planning commission may hold an elected public office in the county or be a board member for any entity conducting business in the county.
- (23) The commission shall perform all duties provided by law.

# DRAFT

SECTION II. Severability. If any section, subsection, or clause of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION IV. Effective Date. This Ordinance shall be effective from and after \_\_\_\_\_, 2010.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_,  
\_\_\_\_\_, Chair

ATTEST this the \_\_\_\_ day of  
\_\_\_\_\_, 2009

\_\_\_\_\_  
Michielle R. Cannon-Finch  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

\_\_\_\_\_  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Reading:  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Staggered Terms for CMRTA Board Appointees

**Purpose**

Francenia B. Heizer

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T (803) 799-9800  
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## MEMORANDUM

To: Paul Livingston, Richland County Council Chair  
J. Milton Pope, Richland County Administrator

Cc: Larry Smith, Richland County Attorney  
Roxanne Anchetta, Assistant to the Richland County Administrator

Joyce Dickerson, Chair, Board of Directors  
Mitzi Javers, Executive Director  
Central Midlands Regional Transportation Authority

From: Francenia B. Heizer, Esquire

Date: December 8, 2009

Subject: Staggered Terms for CMRTA Board Appointees

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As you know, the CMRTA Board has recently been restructured with Richland County having five appointments to the Board. Section 58-24-40 of the Code of laws of South Carolina, 1976, as amended, provides that “The terms of the representatives serving on the governing board of the authority must be staggered so that the terms of approximately one-third of the governing board expire each year. After the initial terms as set forth in the agreement to achieve staggered terms, subsequent terms must be for three years.”

In order to implement staggered terms for its Board members, CMRTA is requesting that Richland County identify which of its appointees will be assigned to terms of one, two or three years. Based on the number of members of the CRMTA Board, Richland County is entitled to two board members for three-year terms, two board members for two-years terms, and one board member for a one-year term. As you may know, Joyce Dickerson has been elected Chair of the CMRTA Board for a two-year term. Because the Chair serves in that capacity for a two-year term, we would ask that Mrs. Dickerson be assigned a term of two or three years.

Please let me know if you have any questions, and we thank you for your assistance in this matter.

FBH:laf

McNair Law Firm, P. A.  
The Tower at 1301 Gervais  
1301 Gervais Street  
17th Floor  
Columbia, SC 29201

Mailing Address  
Post Office Box 11390  
Columbia, SC 29211

mcnair.net

Attachment

# Richland County Council Request of Action

**Subject**

Any amendments made to an agenda or minutes will be reflected in the following meetings minutes so that persons reviewing them will have complete information regarding any changes that took place. [Malinowski]

**Purpose**

# Richland County Council Request of Action

## **Subject**

Reports of officials at council meetings should be a report and not a loophole for presentations. Individuals can give summaries in a minute or two. Power point presentations and reports that last more than tow minutes should be considered a presentation and done through the correct format set up for presentations to council. [Malinowski]

## **Purpose**