

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 6, 2012 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	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Gwendolyn Davis Kennedy
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose

Absent Joyce Dickerson

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Nelson Lindsey, Stephany Snowden, Tamara King, Melinda Edwards, Brad Farrar, Dan Cole, David Hoops, John Hopkins, John Hixon, Daniel Driggers, Pam Davis, Andy Metts, Paul Brawley, David Adams, Valeria Jackson, Michael Byrd, Rodolfo Callwood, Hayden Davis, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:05 p.m.

INVOCATION

The Invocation was given by the Honorable Greg Pearce

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Greg Pearce

APPROVAL OF MINUTES

Regular Session: February 21, 2012 – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: February 28, 2012 – Mr. Livingston moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Washington requested unanimous consent to add the following items under Other Items: Allen University Sponsorship and Heath Hill Resolution. Mr. Washington also stated that Item #14 should be removed from the Consent Agenda and placed under Second Reading Items.

Mr. Jackson moved, seconded by Mr. Malinowski, to add the Allen University Sponsorship to the agenda. The vote in favor was unanimous.

Ms. Hutchinson moved, seconded by Mr. Jackson, to add the Heath Hill Resolution to the agenda. The vote in favor was unanimous.

Ms. Hutchinson requested that amending the April Council meeting schedule be placed on the agenda for discussion.

Mr. Livingston stated that two (2) of the Economic Development items needed be discussed in Executive Session prior to them being acted upon.

Mr. Pearce 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

The following were potential Executive Session Items:

- a. Personnel Matters (2)**
- b. IGA re: Firefighters Driving Ambulances**
- c. Economic Development Items**

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Council went into Executive Session at approximately 6:15 p.m. and came out at approximately 6:25 p.m.
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OUTSIDE COUNSEL EXECUTIVE SESSION

- a. **Economic Development Items** – No action was taken.

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

Fire Committee Update – Mr. Pearce gave a brief overview of the February 27th Fire Ad Hoc Committee meeting and stated that a follow-up meeting will be held and a document will be forwarded to Council for approval.

Audit Presentation – Mr. Tom McNeish of Elliott Davis gave a brief presentation of the completed audit to Council..

Employee Recognition – Mr. Pope congratulated Mr. John Hopkins on being named the Director of the Register of Deeds.

Personnel Matter – This item was taken up in Executive Session.

REPORT OF THE CLERK OF COUNCIL

Media Training, March 20th, 4:00-5:00 p.m., Fourth Floor Conference Room – Ms.

REPORT OF THE CHAIRMAN

Personnel Matter – This item was taken up in Executive Session.

TIF Update – Mr. Livingston stated that Mr. Harry Miley will present TIF information at the March 20th Council meeting.

Response to City re: Fire Contract – This item was taken up under the Report of the County Administrator.

Tuskegee Airmen Wrap-Up – Mr. Washington presented a slideshow and thanked staff for their hard work.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,203 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system** – No one signed up to speak.
- **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and printers** – No one signed up to speak.
- **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income** – No one signed up to speak.
- **An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, In General; Section 16-7, Deductions, Exemptions, Charitable Organizations, and Determination of Classification; so as to allow the deduction of Interstate Commerce Income from Gross Income [THIRD READING]**
- **An Ordinance to repeal Ordinance Number 055-08HR in its entirety, and to ensure that businesses are not harmed by such repeal [THIRD READING]**
- **12-05MA, Wyndham Enterprises, Rodney Wyndham, HI to GC (3.20 Acres), Brickyard Rd. & Two Notch Rd. [SECOND READING]**
- **12-06MA, Lutheran Homes of South Carolina Foundation, Inc., Stephen Minsky, MI/HI/RM-HD to OI (45 Acres), Powell Rd., 17200-02-02/04/09/13/14/26 [SECOND READING]**
- **Community Development Week Proclamation**

- **Fair Housing Month Proclamation**
- **Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive [FIRST READING]**
- **Richland County South Paving Contract**
- **Selection of LandDesign Inc. as consultant for the preparation of two neighborhood Master Plans**
- **Albene Park Water Distribution System Principal Forgiveness Loan**
- **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$85,800 of General Fund Undesignated Fund Balance for expenses from the Republican Party [FIRST READING]**
- **EMS Ambulance Purchase**
- **Lower Richland Master Plan Area Change**
- **Monticello Road Streetscape Project-Parcel Acquisition**
- **Proposed Property Tax Reduction for Senior Citizens [TO TABLE]**
- **Former Farmers' Market Property-County Farmers' Market or SE Sports Complex [TO TABLE]**

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

THIRD READING

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$29,2003 of General Fund Undesignated Fund Balance to the Treasurer's Office for the purchase of a new AS400 computer system – Mr. Jeter moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Kennedy, to reconsider this item. The motion failed.

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$30,803 of General Fund Undesignated Fund Balance to the Auditor's Office for the purchase of a new AS400 computer system and peripherals – Mr. Jeter moved, seconded by Ms. Hutchinson, to approve this item.

Mr. Malinowski offered a friendly amendment to change printers to peripherals. The friendly amendment was accepted by the maker of the motion.

The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Kennedy, to reconsider this item. The motion failed.

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$45,500 of General Fund Undesignated Fund Balance to the Auditor's Office for the printing of tax bills and software updates – Mr. Jeter moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Kennedy, to reconsider this item. The motion failed.

SECOND READING

An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$775,000 of General Fund Undesignated Fund Balance to be transferred to the Mass Transit Fund – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. The vote was in favor.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (B), Processes; so as to reduce the time to act on the application from sixty (60) days to thirty (30) days – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve the amended ordinance presented at the Council meeting. The vote in favor was unanimous.

FIRST READING

An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2012A, 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 – Mr. Livingston moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$32,000,000 General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization – Mr. Manning moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce thanked the Zoo Commission for their support of the Zoo.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Automated GIS-based Tracking Software for Land Development – Mr. Jeter moved, seconded by Mr. Pearce, to defer this item until the April 3rd Council meeting. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

HMIS Grant Transfer – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve this item with the following contingency: “that Richland County receive the appropriate CDBG annually”. The vote in favor was unanimous.

Home Detention/Electronic Monitoring Program – Ms. Hutchinson moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, to expand the boundaries of the park to include certain real property located in Richland County; and other related matters [FIRST READING] – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

Project Roadrunner Inducement Resolution – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

An Ordinance Authorizing Pursuant to Section 4-1-175, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a Special Revenue Credit Agreement between Richland County, South Carolina and Project Roadrunner; and matters relating thereto [FIRST READING BY TITLE ONLY] – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

McEntire Produce, Inc., McEntire Limited Partnership, and R. C. McEntire Trucking, Inc. Inducement Resolution – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

Mars PetCare Set-Aside Grant – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

Project Roadrunner Closing Fund Grant – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee-4** – Mr. Malinowski stated that the committee recommended appointing Mr. Adam Miller. The vote in favor was unanimous.
- b. **Business Service Center Appeals Board-2** – Mr. Malinowski stated that this item was held in committee pending a legal opinion.
- c. **Employee Grievance Committee-1** – Mr. Malinowski stated that the committee recommended appointing Ms. Ashley S. Goodwine. The vote in favor was unanimous.

II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Advertising with other publications** – Ms. Walters is to research the circulation of other publications.
- b. **Whenever a motion is forwarded to full Council from Committee, the only way it goes back to Committee is if Council directs it back to Committee** – This item was taken up at the February 21st Council meeting.
- c. **Motion that Council rules be amended such that when 5 or fewer people are signed up to speak on a non-agenda item they be allowed to speak after those speaking to an agenda item have finished (towards the beginning of the meeting). If 6 or more people are signed up to speak on a non-agenda item then Council's current rule will take affect [HUTCHINSON, JACKSON, AND ROSE]** – Mr. Malinowski stated that the committee recommended a three (3) month trial using the guidelines presented to Council.

Mr. Livingston made a substitute motion, seconded by Mr. Jeter, to not amend the rules.

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

The substitute motion failed.

Mr. Jackson moved, seconded by Mr. Pearce, to not place a time limit on the 2nd Citizens' Input. The vote in favor was unanimous.

Ms. Kennedy moved, seconded by Mr. Malinowski, to call for the question. The vote was in favor.

The committee recommendation was approved unanimously.

- d. **Request for an opinion from the Ethics Commission** – Mr. Jeter moved, seconded by Mr. Rose, to appoint Dr. Sandra Manning to the Internal Audit Committee. A discussion took place.

<u>For</u>	<u>Against</u>
Rose	Malinowski
Jackson	Hutchinson
Pearce	
Washington	
Livingston	
Kennedy	
Jeter	

The vote was in favor of appointing Dr. Sandra Manning.

- e. **Reviewing Committee Qualifications** – Mr. Malinowski stated that this item was held in committee.

OTHER ITEMS

Allen University Amendment to Lease Purchase Payment Schedule – Mr. Malinowski moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

IGA re: Firefighters Driving Ambulances – Mr. Jackson moved, seconded by Mr. Livingston, to approve this item subject to any minor changes. The vote in favor was unanimous.

Report of the Regional Recreation Complex Ad Hoc Committee – Ms. Kennedy stated that the committee recommended approval of this item. A discussion took place.

Ms. Hutchinson made a substitute motion, seconded by Mr. Livingston, to forward this item to a work session. The vote was in favor.

- a. **Report from the February 28, 2012**

- b. **Direction re: \$20M Option**

Allen University Sponsorship – Mr. Jeter moved, seconded by Mr. Malinowski, for Council members to purchase individual tickets. The vote was in favor.

Heath Hill Resolution – Mr. Pearce moved, seconded by Ms. Hutchinson, to adopt a resolution honoring Heath Hill. The vote in favor was unanimous.

April Meeting Schedule – Ms. Hutchinson moved, seconded by Mr. Washington, to hold the 1st meeting in April on April 10th. A discussion took place.

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

The motion fails on a tie vote.

Application for locating a Community Residential Care Home in an unincorporated area of Richland County:

- a. **1928 Heyward Brockington Road, Columbia, SC 29203** – Ms. Kennedy moved, seconded by Mr. Malinowski, to deny this item. The vote was in favor.
- b. **1930 Heyward Brockington Road, Columbia, SC 29203** – Ms. Kennedy moved, seconded by Mr. Malinowski, to deny this item. The vote was in favor.

CITIZEN'S INPUT

Ms. Karen Irick thanked Council for supporting the Hopkins Water project.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 8:51 p.m. and came out at approximately 9:06 p.m.
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- a. **Personnel Matter** – Mr. Malinowski moved, seconded by Mr. Livingston, to direct the Administrator to proceed as directed in Executive Session. The vote in favor was unanimous.
- b. **Personnel Matter** – Mr. Livingston moved, seconded by Mr. Malinowski, to direct the Chair and Vice Chair to proceed as directed in Executive Session. The vote was in favor.

MOTION PERIOD

In order to address the bus situation in the Transportation workshop I move that the Administrator request from the City of Columbia the revenue generated from the 2% or 3% franchise fee imposed on the utility bill [JACKSON AND MALINOWSKI] – This item was referred to the Transportation Committee.

Resolution for Mr. Willie Anderson [WASHINGTON] – The resolution was unanimously adopted for Mr. Willie Anderson.

ADJOURNMENT

The meeting adjourned at approximately 9:15 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Damon Jeter

Bill Malinowski

Jim Manning

Paul Livingston

Seth Rose