

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### REGULAR SESSION MINUTES

September 15, 2015  
6:00 PM  
County Council Chambers

*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*

#### CALL TO ORDER

Mr. Rush called the meeting to order at approximately 6:00 PM

#### INVOCATION

The Invocation was led by the Honorable Bill Malinowski

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

#### PRESENTATION OF RESOLUTIONS

**Resolution Honoring Robert Murphy for his years of service on the East Richland Public Service Commission [MANNING]** – Mr. Manning and Mr. Jeter presented Mr. Murphy with a resolution honoring his years of service on the East Richland Public Service Commission.

**National Recovery Month Proclamation [MANNING]** – Mr. Manning and Mr. Pearce presented a proclamation decreeing September as National Recovery Month.

**A Resolution declaring the week of September 28<sup>th</sup> “Active Aging Week” [ROSE, PEARCE, JETER, MANNING, DICKERSON and DIXON]** – Mr. Rose, Mr. Pearce, Mr. Jeter, Mr. Manning, Ms. Dickerson and Ms. Dixon presented a resolution declaring the week of September 28<sup>th</sup> “Active Aging Week”.

**POINT OF PERSONAL PRIVILEGE** – Mr. Manning recognized that Mr. Larry Brazell, East Richland Public Service District Executive Director, was in the audience.

#### APPROVAL OF MINUTES

**Regular Session: September 8, 2015** – Ms. Dickerson moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.



#### Committee Members Present

Torrey Rush, Chair  
Greg Pearce, Vice Chair  
Joyce Dickerson  
Julie-Ann Dixon  
Norman Jackson  
Damon Jeter  
Paul Livingston  
Bill Malinowski  
Jim Manning  
Kelvin E. Washington, Sr.

#### Others Present:

Tony McDonald  
Daniel Driggers  
Larry Smith  
Geo Price  
Sparty Hammett  
Warren Harley  
Dwight Hanna  
Beverly Harris  
Monique McDaniels  
Kimberly Roberts  
Amelia Linder  
Chad Fosnight  
Rob Perry  
Brandon Madden  
Roxanne Ancheta  
Cheryl Patrick  
Rudy Curtis  
Valeria Jackson  
Monique McDaniels  
Tammy Brewer

### **ADOPTION OF AGENDA**

Mr. McDonald requested that Item 7(c): Water Park Evaluation Committee Recommendation be removed from the agenda and placed on the October 6, 2015 Council agenda.

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

### **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

Mr. Smith stated the following items were potential Executive Session Items:

- a. Proposed Transfer of Solid Waste Contract**
- b. Employee Grievances (2)**
- c. Threatened Litigation – Student Housing**

*Council went into Executive Session at approximately 6:19 p.m.  
and came out at approximately 6:34 p.m.*

- a. Threatened Litigation – Student Housing** – No action was taken.

### **CITIZENS' INPUT (For Items on the Agenda Not Requiring a Public Hearing)**

Mr. Eugene Davoll spoke regarding Sara Matthews Road.

### **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Proposed Transfer of Solid Waste Contract** – This item was taken up in Executive Session.
- b. Recognition of Transportation Program Fall Interns** – Mr. McDonald recognized the Transportation Program's Fall interns.
- c. Employee Grievances (2)** – This item was taken up in Executive Session.
- d. Introduction of County Engineer** – Mr. McDonald introduced the new County Engineer, Stephen Staley, to Council.

### **REPORT OF THE CLERK OF COUNCIL**

**REMINDER: Sofrito Soul Festival, September 19<sup>th</sup>, Sandhills Clemson Research Center** – Ms. McDaniels reminded Council of the upcoming Sofrito Soul Festival on September 19<sup>th</sup>. The event will be held from 11:00 AM – 7:00 PM at the Sandhills Clemson Research Center.

**CIGNA Wellness Being Award Luncheon, October 12<sup>th</sup>, Riverbanks Zoo** – Ms. McDaniels stated Council's presence has been requested as the CIGNA Wellness Being Award Luncheon on October 12<sup>th</sup> at Riverbanks Zoo.

### **REPORT OF THE CHAIRMAN**

No report was given.

### **OPEN/CLOSE PUBLIC HEARINGS**

- **An Ordinance Authorizing a lease to Columbia Area Mental Health for 8,871 ± sq. ft. fo space at 2000 Hampton Street, Third Floor – No one signed up to speak.**

### **APPROVAL OF CONSENT ITEMS**

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 1A. Vector Control; so that a new department will be created [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; so as to create a new chapter entitled "Chapter 8: Vector Control" [THIRD READING]**
- **15-32MA, Jake Conyers, RS-HD to NC (.70 Acres), 5433 Farrow Rd., 11612-05-13 [THIRD READING]**
- **15-33MA, Homebody, LLC, OI to RM-HD (.36 Acres), 1652 Horseshoe Dr., 17012-01-04 [THIRD READING]**

Ms. Dickerson moved, seconded by Ms. Dixon, to approve the consent items.

#### **FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Jeter

#### **AGAINST**

The vote in favor was unanimous.

**THIRD READING ITEMS**

**An Ordinance Authorizing the issuance and sale of not to exceed \$15,000,000 General Obligation Bonds, Series 2015A, 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; and to adopt written procedures related to continuing disclosure** – Mr. McDonald stated the ordinance language needed to be amended to as follows: “...not to exceed \$8,000,000 General Obligation Bonds...”

Mr. Jackson moved, seconded by Ms. Dixon, to approve this item as amended.

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

The vote in favor was unanimous.

Mr. Jackson moved, seconded by Ms. Dixon, to reconsider this item.

**FOR**

**AGAINST**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

The motion for reconsideration failed.

**An Ordinance Authorizing a lease to Columbia Area Mental Health Center, a division of the SC Department of Mental Health, for 8,871 ± sq. ft. of space at 2000 Hampton Street, Third Floor** – Mr. Pearce moved, seconded by Mr. Jackson, to approve this item.

**Richland County Council  
Regular Session  
Tuesday, September 8, 2015  
Page Five**

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Jackson, to reconsider this item.

**FOR**

**AGAINST**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

The motion for reconsideration failed.

**SECOND READING**

**An Ordinance Authorizing a deed to Hanger Preservation Development, LLC, for approximately 2.29 acres of land, constituting a portion of Richland County TMS # 13702-09-01A** – Mr. Rose moved, seconded by Mr. Pearce, to approve this item.

Mr. Malinowski requested staff to insure the Conservation Commission grant given to the prior organization interested in purchasing the Curtiss-Wright Hangar was either paid back to the County or the funding benefitted the County and/or Airport.

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

The vote in favor was unanimous.

**REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. **A Resolution approving the 2015 Assessment Roll for the Village at Sandhill Improvement District, Richland County, South Carolina** – Mr. Livingston stated the committee recommended approval of this item.

Mr. Sidney Evering, Esq. answered Council's questions regarding the Annual Assessment Report.

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

The vote in favor was unanimous.

**REPORT OF RULES AND APPOINTMENTS COMMITTEE**

**I. NOTIFICATION OF APPOINTMENTS**

- a. **Building Codes Board of Appeals – 1** – Mr. Malinowski stated the committee recommended appointing Mr. Willie Farmer.

**Richland County Council  
Regular Session  
Tuesday, September 15, 2015  
Page Seven**

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

The vote in favor was unanimous.

- b. Employee Grievance Committee Alternates – 2** – Mr. Malinowski stated the committee recommended appointing Ms. Kecia D. Lara and Ms. Betty Etheredge.

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

The vote in favor was unanimous.

- c. Midlands Regional Convention Center Authority – 1**– Mr. Malinowski stated the committee recommended appointing Ms. Amber Martin.

**FOR**

Dixon  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

**AGAINST**

Malinowski

The vote was in favor.

- d. Procurement Review Panel - 2** – Mr. Malinowski stated the committee recommended appointing Mr. Allen Brown.

**FOR**

**AGAINST**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

The vote in favor was unanimous.

**II. ITEMS FOR ACTION**

- a. CMRTA Board Terms** – Mr. Malinowski stated the committee recommending approving the following language: “I move that the three Richland County appointees to the CMRTA Board continue to serve with the 1, 2, and 3 year terms assigned alphabetically; therefore, Mac Bennett will serve the one year term, Jennifer Harding will serve the two year term, and Kelvin Washington will serve the three year term. Thereafter, all appointees shall each serve a three year term. If approved, this action will be contingent on similar action being taken by the City of Columbia regarding its appointees.”

**FOR**

**AGAINST**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Livingston  
Dickerson  
Washington  
Manning  
Jeter

The vote in favor was unanimous.

- b. Ordinance providing for the appointment of Ex Officio members to public bodies whose membership is appointed by the governing body of Richland County. The**

**governing body of Richland County may appoint up to three (3) ex officio members to any board, commission, committee, entity or any other “public body” as defined in the South Carolina Freedom of Information Act whose members are appointed by the governing body of Richland County. Such ex officio members shall pursuant to Roberts Rules of Order have all the privileges of board (or other public entity) membership, including the right to make motions and vote and to participate in regular or special called meetings and executive sessions, but none of the obligations. Ex officio members have no obligations to participate and should not be counted in determining the number required for a quorum or whether a quorum is present at a meeting. When an ex officio member of any board, commission, committee, entity or any other public body ceases to hold the office that entitles him or her to such membership, his or her membership on the public body terminates automatically [WASHINGTON] – This item was held in committee.**

- c. **Modify the Rules of Council to allow Council to respond to citizens during the Citizens’ Input portion of Council meetings [PEARCE]** – Mr. Malinowski stated the committee recommended amending the language as follows: (1) The Clerk’s Office will have available for the public the Council’s contact information, as listed on the County’s website; and (2) to allow the Chair to advise citizens to speak with staff.

Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item until the October 6<sup>th</sup> Council meeting. The vote in favor was unanimous.

- d. **Allow Council members to electronically participate in ad hoc committee meetings [WASHINGTON]** – Mr. Malinowski stated the committee recommended denial of this item.

Mr. Washington made a substitute motion, seconded by Mr. Rose, to approve this item.

Mr. Rose requested a friendly amendment to require a physical quorum to be present at the meeting.

Mr. Washington accepted the friendly amendment.

**FOR**

Rose  
Jackson  
Washington  
Jeter

**AGAINST**

Dixon  
Malinowski  
Pearce  
Rush  
Livingston  
Dickerson  
Manning

The substitute motion failed.

**FOR**

Dixon  
Malinowski  
Pearce  
Rush  
Livingston  
Dickerson  
Manning

**AGAINST**

Rose  
Jackson  
Washington  
Jeter

The vote was in favor of the committee's recommendation for denial.

- e. Grievance Committee** – Mr. Malinowski stated the committee recommended the Employee Grievance Committee be staffed by the Legal Department.

Mr. Rose made a substitute motion, seconded by Ms. Dickerson, to defer this item to receive input from the Legal Department. The vote was in favor.

**REPORT OF DIRT ROAD AD HOC COMMITTEE**

- a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Section 21-20, Road Paving Program; so as to add language regarding a design exception for paved surface width [FIRST READING]** – Ms. Dixon stated the committee recommended approval of this item and to incorporate the road paving ordinance into the ordinance in the agenda packet prior to 2<sup>nd</sup> Reading. The vote in favor was unanimous.

**CITIZENS' INPUT  
(Must Pertain to Items Not on the Agenda)**

Mr. Kenneth Spry spoke regarding the Riverbanks Zoo Project: Construction over Railroad and the utilization of teens in the summer on the Transportation Penny projects.

Ms. Margaret Sumpter spoke about use of the Pinewood Lake facility for public meetings.

Ms. Helen Taylor Bradley spoke against the Lower Richland Sewer Project.

**EXECUTIVE SESSION**

*Council went into Executive Session at approximately 7:45 p.m.  
and came out at approximately 8:04 p.m.*

- a. Proposed Transfer of Solid Waste Contract** – Ms. Dixon moved, seconded by Mr. Rose, to proceed with Administration's recommendation.

**Richland County Council  
Regular Session  
Tuesday, September 15, 2015  
Page Eleven**

**FOR**

Dixon  
Malinowski  
Rose  
Jackson  
Pearce  
Rush  
Dickerson  
Jeter

**AGAINST**

Manning

The vote was in favor.

- b. Employee Grievances (2)** – Mr. Livingston moved, seconded by Mr. Jeter, to uphold the Administrator’s recommendation.

Mr. Washington and Mr. Jackson expressed concern with the requirement that employees must sign documentation (i.e. disciplinary action forms) or face termination.

Mr. Washington requested Administration draft a motion regarding this matter and bring back to Council.

**FOR**

Dixon  
Malinowski  
Rose  
Pearce  
Rush  
Livingston  
Dickerson  
Manning  
Jeter

**AGAINST**

Jackson

The vote was in favor.

**MOTION PERIOD**

**I move to propose an ordinance to impose regulations of motor vehicles parking on front lawns in certain residential zoning districts [JETER and ROSE]** – This item was referred to the D&S Committee.

**ADJOURNMENT**

The meeting adjourned at approximately 8:15PM.

**Richland County Council  
Regular Session  
Tuesday, September 15, 2015  
Page Twelve**

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Torrey Rush, Chair

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Greg Pearce, Vice-Chair

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Joyce Dickerson

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Julie-Ann Dixon

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Jim Manning

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Seth Rose

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Kelvin E. Washington, Sr.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council