



**MINUTES OF
RICHLAND COUNTY COUNCIL
REGULAR SESSION
JUNE 3, 2014
6:00 PM**

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:

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

OTHERS PRESENT – Tony McDonald, Roxanne Ancheta, Sparty Hammett, Warren Harley, Beverly Harris, Justine Jones, Ismail Ozbek, Brad Farrar, Dale Welch, Annie Caggiano, Nelson Lindsay, Tracy Hegler, John Hixon, Donny Phipps, Larry Smith, Brandon Madden, Monique McDaniels, Amelia Linder, Chad Fosnight, Sara Salley, Will Simon, Andy Metts, Ray Peterson, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

INVOCATION

The Invocation was given by the Honorable Joyce Dickerson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

PRESENTATION OF RESOLUTION

Building Safety Month Proclamation – Mr. Jackson, on behalf of Council, presented a proclamation to Donny Phipps.

APPROVAL OF MINUTES

Regular Session: May 20, 2014 – Ms. Dickerson moved, seconded by Ms. Dixon, to approve the minutes as amended. The vote in favor was unanimous.

Zoning Public Hearing: May 27, 2014 – Mr. Malinowski moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Livingston moved, seconded by Ms. Dickerson, to adopt the agenda as published. The vote in favor was unanimous.

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

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

- a. Health Insurance Update
- b. Contractual Matter – Project LM
- c. Personnel Matter

CITIZENS INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

No report was given.

REPORT OF THE CLERK OF COUNCIL

- a. **REMINDER: Budget Meetings: June 5th [2nd Reading of Budget (Non-Grant Items)] and June 12th [3rd Reading of Budget]** – Ms. Onley reminded Council of the upcoming budget meetings.

REPORT OF THE CHAIR

- a. **Introduction of Clerk to Council** – Mr. Jackson introduced Ms. McDaniels as the new Clerk of Council.

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

OPEN/CLOSE PUBLIC HEARINGS

- **Ordinance to approve a deed to the City of Columbia for certain water lines to serve the JTEKT Koyo expansion** – Al Bouknight, 1041 Kennerly Road, spoke regarding this item.
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing by adding Division 9, Prompt Payment Requirements** – No one signed up to speak.
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article V, County Departments; Division 2, Public Works; Section 2-197, Use of Highways and Bridges; Article I, in general; Section 21-4, Drainage on Private Property; and emergency maintenance** – No one signed up to speak.
- **Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to ratify and approve the internal distribution of revenues received from property located in the park; and other related matters** – No one signed up to speak.
- **Second Amendment to Master Agreement Governing the I-77 Corridor Regional Industrial Park** – No one signed up to speak.
- **Small Local Business Enterprise Program Design Model and Projected Budget Approval** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing by adding Division 9, Prompt Payment Requirements [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2013-2014 Transportation Tax Fund Budget to add five (5) full time positions for the establishment of the SLBE Program [THIRD READING]**
- **14-09MA, Michael Boulware, PDD to PDD (6.81 Acres), Jacobs Mill Pond Rd., 25810-03-08 & 09 [SECOND READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-176, Landscaping Standards; Subsection (f), Buffer Transition Yards; Paragraph (1)(a); and Amending Section 26-186, Development with Open Space Design Standards; Subsection (l), Development Requirements;**

Paragraph (7); so as to provide an exception to the buffer transition yard requirements [SECOND READING]

- Emergency Services Purchase Orders for 2014-2015
- Department of Public Works – South Paving Contract Change Order Four
- South Paving Project Construction Administration [TO TABLE]
- Architectural/Engineering Services for New Coroner’s Facility
- Printing and Mailing Operations
- Hopkins Magistrate Office: Relocation of the Hopkins Magistrate Office, lease agreement for 8012 Garners Ferry Road, Suite E, Columbia, SC 29209
- Election Commission and Voter Registration Budgets

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

THIRD READING ITEMS

An Ordinance Authorizing a deed to the City of Columbia for certain water lines to serve the JKEKT Koyo Expansion in Northeast Business Park; Richland County TMS # 14900-01-16(p) and 15005-01-02(p) – Mr. Malinowski moved, seconded by Mr. Pearce, to approve this item contingent upon review by staff of safety concerns brought up by citizen during Citizen’s Input.

An Ordinance Authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a Fee Agreement between Richland County, South Carolina and American Italian Pasta Company and matters relating thereto – Mr. Livingston moved, seconded by Mr. Rush, to approve this item. The vote in favor was unanimous.

Authorizing an Amendment to the 2003 Fee in Lieu of Ad Valorem taxes arrangement by and between Richland County, South Carolina and American Italian Pasta Company to provide an Infrastructure Credit; and other matters related thereto – Mr. Livingston moved, seconded by Mr. Rush, to approve this item. The vote in favor was unanimous.

Authorizing the Conversion and Extension of a 1995 Fee in Lieu of Ad Valorem Taxes arrangement by and between Richland County, South Carolina and American Italian Pasta Company; and other matters related thereto – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article V, County Departments; Division 2, Public Works; Section 2-197, Use of County Equipment by Private Parties and During Public Emergencies; and Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-4, Drainage on Private Property; and emergency maintenance – Mr. Malinowski moved, seconded by Ms. Dixon, to approve this item.

Mr. Washington made a substitute motion, seconded by Mr. Jackson, to remove letter (b) from the ordinance. A discussion took place.

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

The vote was in favor of moving letter (b) from the ordinance.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Septic and Storm Drainage Problems in Suburbs – Mr. Rush stated that the committee recommended forwarding this item to the Consolidation/Privatization Ad Hoc Committee. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to remain in compliance with the National Flood Insurance Program upon the adoption of the new flood insurance rate map [FIRST READING] – Mr. Rush stated that the committee recommended amending the selected ordinances in Chapter 26 of the Richland County Code of Ordinances and directing staff to compare FEMA standards to the County's standards. A discussion took place.

Mr. Washington moved, seconded by Mr. Rose, to defer this item until the July 1st to allow time to review the Floodplain Ordinance. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Acceptance of Loan Assistance Funds for Construction of a Portion of the Lower Richland Sewer Project – Mr. Malinowski moved, seconded by Ms. Dixon, to approve this item. The vote in favor was unanimous.

Richland County Office of Small Business Opportunity – Mr. Livingston moved, seconded by Mr. Manning, to defer this item until the June 17th Council meeting. The vote in favor was unanimous.

Coroner – 2400: Budget Amendment for FY13-14 – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item and to direct staff to provide answers to questions raised by Council prior to Third Reading. The vote in favor was unanimous.

SC Philharmonic Funding Request – Mr. Malinowski moved, seconded by Mr. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

Hospitality Tax Ordinance Agency Procurement – Mr. Pearce stated that the committee recommended requiring the Hospitality Tax ordinance agencies to adopt County/State procurement guidelines for Richland County Hospitality Tax spent dollars and to adopt the proposed procedures and monitoring practices as outlined.

Mr. Malinowski moved to allow the agencies to create a separate accounting entry form in their budgeting to track the Hospitality Tax expenditures. The motion died for lack of a second.

Mr. Malinowski moved, seconded by Mr. Pearce, to forward back to the A&F committee for further discussion. The vote in favor was unanimous.

Richland County Water/Sewer/Industrial Waste User Rates – Mr. Washington moved, seconded by Mr. Manning, to approve this item. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Ms. Dickerson, to defer this item until the June 17th Council meeting. The vote in favor was unanimous.

Richland County Utilities Tap Fee Assistance Program – Mr. Washington moved, seconded by Mr. Manning, to approve this item. The vote in favor was unanimous.

Water & Sewer Tap Fee Payment Plan – Mr. Washington moved, seconded by Mr. Manning, to approve this item. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Mr. Rush, to defer this item until the June 17th Council meeting. The vote was in favor.

Donations of Council via Discretionary Accounts – Mr. Pearce stated that the committee recommended that Council approve the list of Council expenditures included in the agenda packet and that Council adopt the proposed policy that any donations to a viable organization made by a Council member out of his/her Council Discretionary Account must be approved by the full body at a Council meeting. Once the item is approved, the Clerk's Office will notify the organization of the approval and will request the detailed description of the purpose for which the money was used, which is to be submitted at the end of the fiscal year. The Clerk's Office will maintain this information in their files. Council's current expense account policy guidelines will also be amended to include this information. A discussion took place.

Mr. Manning moved, seconded by Ms. Dickerson, to divide the question. The vote in favor was unanimous.

Mr. Manning moved, seconded by Ms. Dickerson, to approve the list of Council expenditures included in the agenda packet. The vote was in favor.

Mr. Manning moved, seconded by Ms. Dixon, to adopt the proposed policy that any donations to a viable organization made by a Council member out of his/her Council Discretionary Account must be approved by a majority of Council at a Council meeting. Once the item is approved, the Clerk's Office will notify the organization of the approval and will request the detailed description of the purpose for which the money was used, which is to be submitted at the end of the fiscal year. The Clerk's Office will maintain this information in their files. Council's current expense account policy guidelines will also be amended to include this information. The vote was in favor.

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

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance Authorizing, pursuant to Title 4, Chapter 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a consent, subordination, security and mortgage agreement between Richland County, South Carolina and one or more financing entities in connection with Project W; and matters related thereto [FIRST READING BY TITLE ONLY] – Mr. Livingston stated that the committee recommended approval. The vote in favor was unanimous.

OTHER ITEMS

Health Insurance Update – This item was taken up in Executive Session.

Airport Subleasing Contract – Mr. Pearce moved, seconded by Mr. Malinowski, to defer this item until the June 17th Council meeting. The vote in favor was unanimous.

A Resolution to appoint and commission Tammy Marie Ashley as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Manning moved, seconded by Mr. Dixon, to approve this item. The vote in favor was unanimous.

REPORT OF THE DIRT ROAD AD HOC COMMITTEE

- a. **Package "B" Bid Results** – Ms. Dixon stated that the committee recommended approval of the contract with Eagle Construction Company for the amount \$1,470,528.55. A discussion took place.

Mr. Jeter requested a timeline in which the contracts were bid out and issued.

The vote in favor was unanimous.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 7:16 p.m. and came out at approximately 8:04 p.m.
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- a. **Health Insurance Update** – Mr. Pearce moved, seconded by Ms. Dixon, to authorize staff to move forward immediately to negotiate and award contracts for employee and pre-65 retiree health, dental, life, and other benefits that were reviewed, evaluated, ranked and recommended by Aon Consultants. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Dixon, to authorize the County Administrator to move forward immediately as discussed in Executive Session to authorize revising current policies, guidelines, and/or procedures relating to full time eligible rehired County retirees so they may enroll in the employee health and other insurance benefits, provided they qualify. This action will help the County prepare to achieve compliance with PPACA requirements scheduled to come on line in 2015. Also, this action will reduce the overall current premium costs for current full time rehired retirees and Richland County Government. The vote in favor was unanimous.

- b. **Contractual Matter – Project LM** – Mr. Malinowski moved, seconded by Ms. Dixon, to direct staff and the Legal Department to proceed as directed in Executive Session and to retain a representative for the County. The vote in favor was unanimous.
- c. **Personnel Matter** – No action was taken.

MOTION PERIOD

- a. **Businesses should be established a minimum of one year in Richland County to participate in the SLBE program [JACKSON]** – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:07 p.m.

Norman Jackson, Chair

Joyce Dickerson, Vice-Chair

Julie-Ann Dixon

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Greg Pearce

Seth Rose

Torrey Rush

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley