

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 20, 2007 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.

MEMBERS PRESENT:

Chair	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

Absent	Joyce Dickerson
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OTHERS PRESENT - Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Stephany Snowden, Larry Smith, Amelia Linder, Anna Almeida, Michael Criss, Jennie Sherry-Linder, Geo Price, Daniel Driggers, Audrey Shifflett, Teresa Smith, Andy Metts, Janet Claggett, Chief Harrell, Rodolfo Callwood, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:03 p.m.

INVOCATION

The Invocation was given by the Honorable Bernice G. Scott

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bernice G. Scott

ADOPTION OF AGENDA

Mr. Montgomery moved, seconded by Ms. Smith, to adopt the agenda as distributed. The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: February 6, 2007 – Ms. Scott moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

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

1. **Vista TIF Negotiations Update**
2. **Broad River Wastewater Treatment Plant**
3. **Personnel Matter**

Mr. Montgomery moved, seconded by Ms. Scott, to move Executive Session until after Citizens Input. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Death of Officer Brenda Jones – Mr. Pope stated that Officer Brenda Jones from the Alvin S. Detention Center was killed in an automobile accident and he will be forwarding further information regarding the funeral arrangements to Council.

TIF Update—County/City Issues – Mr. Pope stated that a letter was received from the City of Columbia regarding establishing a TIF in the Roosevelt Village area. This would be a City TIF, no County increment monies would be used, nor is it anticipated that any School District revenues would be used. The County is required to send an opt out letter to the City making it clear that County funds are not to be used for this.

Farmers' Market Update – Mr. Pope stated that the County had entered into a contract with Fitts & Goodwin and had a meeting with the wholesale vendors to come up with a

guaranteed maximum price before proceeding. The guaranteed maximum prices for our portion of the market should be available around April 11th.

Animal Care Update – Mr. Pope stated that the RFQ has been published and the qualifications should be available near the end of March.

Township Renovation Bond – Mr. Pope stated that the outline for the financing will be going to Committee next week. An outline that was presented at the Township Board meeting was distributed.

REPORT OF THE CLERK OF COUNCIL

Rescheduling of March 6, 2007 Council Meeting – Ms. Finch stated that several council members would be at the NaCo Conference in Washington, D.C. from March 3-7th and have requested that the date for the first Council meeting in March be rescheduled until March 13th.

REPORT OF THE CHAIRMAN

Clerk's Office Manual – Mr. McEachern stated that all the council members should have received a copy of a manual for the Office of the Clerk of Council. If you have any comments, please submit them so that the County Attorney can formulate an ordinance to be forwarded to the A&F Committee.

County/City Issues – Mr. McEachern stated that this item will be discussed during Executive Session.

City Hospitality Tax for the Township – Mr. McEachern stated that the City is considering allowing the Township to have the hospitality tax that is generated.

PUBLIC HEARING ITEMS

Mr. McEachern opened the floor to the following public hearings:

- **An Ordinance Consenting to an Assignment to HOLO (SC) QRS 16-91, Inc. of Certain Rights and Obligations of Holopack International Corp. Relative to All Interest in Real Property and Improvements, and Certain Personal Property** – No one signed up to speak.
- **Ordinance Authorizing Issuance and Sale of General Obligation Bonds Not Exceeding \$16,970,000 for the Broad River Wastewater Treatment Plant** – Ms. Kim Murphy and Ms. Frannie Heizer, Bond Counsel, spoke regarding this item.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

Ms. Hutchinson moved, seconded by Mr. Montgomery, to approve the following consent items:

- **06-62MA, Rabon Road Storage/Robert Fuller, RU to GC (1 Acre), Self Storage Facility, 17115-01-08, North Side of Rabon Road [Third Reading]**
- **06-63MA, C. Douglas Caughman, RU to GC, Family Day Care & General Commercial (12.6 Acres), 19011-02-02(p), 378 & Garners Ferry Road [Third Reading]**
- **06-65MA, Brad Wilson, RS-LD to GC (8.42 Acres), Retail Shops, 20300-02-31, Lee & Longtown Road [Third Reading]**
- **06-69MA, Parcone Development Corporation, HI to GC (31.11 Acres), Retail Shopping Center, 22910-01-03, 10261 Two Notch Road [Third Reading]**
- **An Ordinance Consenting to an Assignment to HOLO (SC) QRS 16-91, Inc. of Certain Rights and Obligations of Holopack International Corp. Relative to All Interests in Real Property and Improvements, and Certain Personal Property [Third Reading]**
- **An Ordinance Authorizing Quit-Claim Deed to Janice Juanita Newbold-Molden and Albert Wallace for a Certain Portion of a Right-of-Way Known as Bluff Oaks Road, Richland County [Second Reading]**
- **Ordinance Authorizing the Granting of a Water Line Right-of-Way Easement to the City of Columbia Across Property Identified as a Portion of TMS #R16200-03-20, to Serve the New Columbia State Farmers' Market [Second Reading]**
- **An Ordinance Amending the Fiscal Year 2006-2007 Special Revenue Fund Annual Budget to Add Six Firefighters to Fire Services. Funds are Presently Available in the Departmental Budget to Cover the Costs of these New Positions. There will be No Additional Costs for this Fiscal Year. [Second Reading]**
- **An Ordinance Authorizing the Granting of a Sewer Easement to Ginn-LA University Club Ltd., LLP, Across Property Lying to the North of McNulty Street, Blythewood, South Carolina, and Identified as a Portion of TMS #15209-01-04. [Second Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 2, Competitive Purchasing Policy; Section 2-598, General Provisions; Subsection (A): So as to Exempt Certain Contracts from the County's Requirements Under this Article [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

06-67MA, Martin Marietta, Inc., RU to HI (525 Acres), Mining, 06500-01-04(p), Monticello Trail – A discussion took place.

Mr. Montgomery moved, seconded Ms. Scott, to approve this item. The vote in favor was unanimous.

Amendment to Permit Tattoo Parlors as a Special Exception on Property Zoned General Commercial – A discussion took place. Mr. Montgomery moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

Ordinance Authorizing Issuance and Sale of General Obligation Bonds Not Exceeding \$16,970,000 for the Broad River Wastewater Treatment Plant – Ms. Scott moved, seconded by Mr. Jackson to defer this item until the first Council meeting in March. The vote in favor was unanimous.

Approval of Construction Contract Award – Mr. Livingston moved, seconded by Ms. Scott, to defer this item until after Executive Session.

[AFTER EXECUTIVE SESSION] Mr. Montgomery moved, seconded by Ms. Scott, to approve the Administration to enter into contracts for Phase II, Phase III and the Engineering and Testing of the Broadwater Treatment Plant. The vote in favor was unanimous.

SECOND READING ITEMS

An Ordinance Amending the FY 2006-2007 General Fund Budget to Add Four Emergency Medical Technicians and Four Paramedics to Emergency Medical Services. Funds are Presently Available in the Department Budget to Cover the Costs of These New Positions. There Will be No Additional Costs for This Fiscal Year. – Mr. Montgomery moved, seconded Ms. Scott, to approve this item. A discussion took place.

The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VI, Elected and Special Officers; Section 2-262, Salaries of Certain Elected Officials; So as to Provide for the Salaries of Such Officials and for Subsequent Pay Increases – Ms. Scott moved, seconded by Mr. Montgomery, to approve this item. The vote was in favor.

06-51MA, Lowman Homes, RU to PDD (206.7 Acres), Mixed Use, 01511-03-03/04/05/06/09, 01511-04-01/04/18, 01515-01-01, Dutch Fork Road and Johnson Marina Road – Ms. Scott moved, seconded by Mr. Montgomery, to approve this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Ordinance Authorizing Deed to Forum Development II, LLC for Lot 14 in the Richland Northeast Industrial Park - Mr. Jeter stated the committee recommended First Reading approval of this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

- a. **Recreation Commission—2** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Board of Zoning Adjustments and Appeals—1** – Mr. Montgomery stated there were no applicants for this vacancy.
- b. **Building Codes Board of Appeals—1** – Mr. Montgomery stated there were no applicants for this vacancy.
- c. **Hospitality Tax Committee—1** – Mr. Montgomery stated that the committee recommended Mr. Robert Tunell be re-appointed. The vote in favor was unanimous.
- d. **Planning Commission—1** – Mr. Montgomery stated that the committee recommended Mr. Weston A. Furgess, Jr. be re-appointed and that the other applicant, Ms. Mary J. Sturgeon, be carried forward. The vote in favor was unanimous.

APPLICATION OF LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY IN AN UNINCORPORATED AREA OF RICHLAND COUNTY

Ann Bruce-Watson, 147 Hunting Avenue, Hopkins, South Carolina 29061 – Mr. Jackson moved, seconded by Ms. Scott, to defer this item. The vote in favor was unanimous.

A discussion took place.

Ms. Smith moved, seconded by Mr. Montgomery, to reconsider this item. The vote in favor was unanimous.

Ms. Smith moved, seconded by Mr. Montgomery, to defer this item until after Executive Session. The vote in favor was unanimous.

[AFTER EXECUTIVE SESSION] Mr. Jackson moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

TIF Briefing – This item was taken up during Executive Session.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION ITEMS

- a. **Vista TIF Negotiations Update** – No action was taken.
- b. **Broad River Wastewater Treatment Plant** – Ordinance taken up during motion period.
- c. **Personnel Matter** – No action taken.

Mr. Montgomery moved, seconded by Ms. Scott, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 6:55 p.m. and came out at approximately 7:17 p.m.
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Mr. Montgomery moved, seconded by Ms. Scott, to come out of Executive Session. The vote in favor was unanimous.

MOTION PERIOD

Rescheduling of March 6th Council Meeting – Ms. Scott moved, seconded by Ms. Hutchinson, to reschedule the meeting for March 13th. A discussion took place.

Mr. Livingston moved, seconded by Ms. Scott, to cancel the March 6th meeting and hold a Special Called meeting (that is to be treated as regular council meeting) on March 13th. A discussion took place.

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| <u>In favor</u> | <u>Oppose</u> |
| Pearce | Malinowski |
| Jackson | |
| Hutchinson | |
| McEachern | |
| Livingston | |
| Smith | |
| Scott | |

Mr. Malinowski stated that he withdrew his opposing vote so that the meeting could be rescheduled.

Edith Cunningham Resolution – Mr. Jackson moved, seconded by Ms. Scott, to adopt a resolution for Ms. Edith Cunningham. The vote in favor was unanimous.

Junior Golf Association Hospitality Tax Request – Ms. Hutchinson forwarded to the D&S Committee a request for \$5,000 in Hospitality Tax for the Junior Golf Association.

Odyssey Golf Foundation – Mr. McEachern forwarded to the D&S Committee a request from the Odyssey Golf Foundation.

Developer's Clear Cutting of Trees – Mr. Malinowski directed that the Planning Commission investigate this matter and possibly make the fines severe enough that these types of matters will not continue to take place. Mr. Malinowski suggested a stop work order be imposed upon these developers.

Ms. Smith suggested that the developer's and company's name be posted on the Richland County website that they have been cited.

Ms. Hutchinson stated that a lot of time clear cutting is taking place before the lot are sold.

Mr. Montgomery suggested that one of the requirements be that some time pass between clear cutting and rezoning as being an effective way to address this issue.

Mr. McEachern suggested that this item be forwarded to Committee.

An Ordinance Authorizing the Issuance and Sale of Broad River Sewer System General Obligation Refunding Bonds of Richland County, South Carolina, in the Principal Amount of Not Exceeding \$16,500,000; Fixing the Form and Details of the Bonds, Authorizing the County Interim Administrator or His Designee to Determine Certain Matters Relating to the Bonds; Providing for the Payment of the Bonds and the Disposition of the Proceeds Thereof; and Other Matters Relating Thereto. – Mr. Montgomery moved, seconded by Ms. Hutchinson, to approve this item by title only. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 7:39 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley