

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MAY 21, 2013 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:

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

OTHERS PRESENT – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Justine Jones, Amelia Linder, Melinda Edwards, John Hixon, Geo Price, Ismail Ozbek, Tracy Hegler, Rodolfo Callwood, Kendra Dove, Jocelyn Jennings, Valeria Jackson, Nelson Lindsay, Chris Eversmann, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

INVOCATION

The Invocation was given by the Honorable Kelvin E. Washington, Sr.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Kelvin E. Washington, Sr. and the Purple Heart Recipients

PRESENTATION OF RESOLUTIONS

Resolution to recognize Richland County as a Purple Heart County [WASHINGTON] – Mr. Washington presented a resolution to the Purple Heart recipients in recognition of Richland County being named a Purple Heart County.

Resolution honoring Dutch Fork Girls Basketball Team on their 2nd State Championship [MALINOWSKI] – Mr. Malinowski presented the Dutch Fork Girls Basketball Team with a resolution honoring them for their 2nd State Championship.

Resolution honoring Keenan Girls Basketball AA State Champions [RUSH] – Mr. Rush presented the Keenan Girls Basketball Team with a resolution honoring them for their AA State Championship win.

Resolution Honoring Deputy Sheila Aull for heroism in the line of duty and honoring the Cedar Creek Community for their donation of \$1,500 to purchase additional lifesaving vests for deputies [DICKERSON] – Ms. Dickerson presented Deputy Sheila Aull with a resolution honoring her for heroism in the line of duty.

Resolution honoring Verna Hatten's 100th Birthday [DICKERSON] – Ms. Dickerson will present Ms. Hatten with a resolution honoring her 100th Birthday at a later date.

Resolution recognizing Cameron Wesley as the first African American Postmaster in the Town of Whitmire [JACKSON] – Mr. Jackson presented Cameron Wesley with a resolution recognizing him as the first African American Postmaster in the Town of Whitmire.

Resolution honoring Ginny Waller as the 2013 recipient of the Francis Marion University and SC Association of Nonprofit Organizations' (SCANPO) Award [MANNING] – Ms. Waller's resolution will be presented at an upcoming Council meeting.

POINT OF PERSONAL PRIVILEGE – Mr. Rose recognized is grandfather, who raised him, was in the audience.

POINT OF PERSONAL PRIVILEGE – Ms. Dixon recognized her mentee Ms. Jasmine Farmer from Westwood High School.

APPROVAL OF MINUTES

Regular Session: May 7, 2013 – Mr. Pearce moved, seconded by Mr. Jackson, 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 COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

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

- a. **Legal Fee—Contractual Matter**
- b. **Personnel Matters (2)**
- c. **Curtiss-Wright Hangar Agreement**

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

Budget Update – Mr. McDonald provided Council with outline of the remaining budget meeting:

- May 23rd – Work Session, 4:00-6:00 PM: Audit/CAFR – Elliott Davis; Recreation Commission; Sheriff's Department – MDT's/Cameras; any other outstanding matters
- May 23rd – Public Hearing, 6:00 PM
- May 30th – 2nd Reading of Budget, 6:00 PM
- June 6th – 3rd Reading of Budget, 6:00 PM
- Staff will e-mail the Motions List to Council by Friday, May 24th.

Personnel Matter – This item was discussed in Executive Session.

Transportation Penny Update – Mr. McDonald stated the following regarding the Transportation Penny:

- Discussions with outside counsel regarding the bonds are ongoing and the bond ordinances/bond anticipation notes (BANs) are forthcoming.
- Discussion with outside legal counsel regarding the proposed IGA between the County and CMRTA are continuing.
- Staff has met with SCDOT to draft an IGA, which will be modeled after the Beaufort and York Counties' IGAs.

- The Transportation Penny Advisory Committee (TPAC) has met twice and will continue to hold regular monthly meetings on the third Monday of each month in the 4th Floor Conference Room.
- Staff will forward recommendations to the Dirt Road Committee regarding the local road resurfacing/Neighborhood Improvement transportation-related items.
- The SLBE have reviewed the recommendations made by the Procurement Department.

REPORT OF THE CLERK OF COUNCIL

Public Works Luncheon, Wednesday, May 22nd, 11:30 AM-1:30 PM – Ms. Onley reminded Council of the Public Works Luncheon on Wednesday, May 22nd from 11:30 AM-1:30 PM at the Public Works Facilities on Powell Road.

Turning Leaf Project Graduation, Wednesday, May 29th, 11:00 AM-12:00 PM, Alvin S. Glenn Detention Center – Ms. Onley stated that the Turning Leaf Project Graduation is scheduled for Wednesday, May 29th from 11:00 AM-12:00 PM at the Alvin S. Glenn Detention Center.

Community Relations Council Annual Luncheon, June 12th 12:00-2:00 PM, Columbia Metropolitan Convention Center – Ms. Onley stated that the Community Relations Council's Annual Luncheon is scheduled for Wednesday, June 12th from 12:00-2:00 PM at the Columbia Metropolitan Convention Center.

County Website Launch – Ms. Onley encourage those Council members that have not previewed the County's new website to do so prior to the launch of the new website on May 28th.

REPORT OF THE CHAIRMAN

Business Friendly Task Force Appointees – Mr. Washington deferred this item until an upcoming Council meeting.

Transportation Penny Advisory Committee—Council Ex-Officio Appointments – Mr. Washington appointed Mr. Livingston and Mr. Jackson to serve on this committee.

Joint City/County Task Force Appointments – Mr. Washington appointed himself and Mr. Rush to this task force. An additional appointment will be made at an upcoming meeting.

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

PRESENTATIONS

Midlands Housing Trust Fund, Mark Cox-Chairman – Mr. Cox gave a brief update on the endeavors of the Midlands Housing Trust Fund. The organization utilized the \$100,000 from Richland County to assist with five rehabilitation projects which resulted in 35 energy-efficient affordable housing units and were an integral part of the Sloan Road Apartment renovations.

Township Auditorium, Aundrai Holloman – Mr. Holloman gave an update on the Township Auditorium. The Township has increased their patrons by at least 20,000 in the last three years; worked with 17 new promoters; and hosted 11 first-time nonprofit organizations. On April 23 and 24, *Widespread Panic* drew approximately 6,000 attendees from 38 states and 300 cities. The Township is continuing to pursue co-promoting, promoting local civic opportunities and supporting the USC intern program.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Approving a budget for and the distribution of the revenues from the one percent (1%) sales and use tax for transportation projects for Fiscal Year 2013-2014 and other matters related thereto** – No one signed up to speak.

APPROVAL OF CONSENT ITEM

- **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$63,801 of General Fund Unassigned Balance for purchase of equipment for the Richland County Treasurer's Office [SECOND READING]**
- **An Ordinance Authorizing the East Richland County Public Service Commission to incur not exceeding \$10,000,000 of General Obligation indebtedness and the levy of ad valorem property taxes in the East Richland County Public Service District to pay debt service thereon [SECOND READING]**
- **New Road for the Brookfield Subdivision**

Mr. Pearce moved, seconded by Ms. Dickerson, to approve the consent item. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce thanked the members of the East Richland Public Service Commission for attending the Council meeting.

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; so as to repeal the Green Code Standards and to have Section 26-186 read as "Reserved" – Mr. Pearce moved, seconded by Mr. Manning, to table this item. The vote in favor was unanimous.

SECOND READING

An Ordinance Authorizing the Execution and Delivery of a Fee and Special Source Credit Agreement by and among Richland County, South Carolina, Project Form 1, and Project Form 2 providing for a payment of a Fee in Lieu of Taxes and other matters related thereto – Mr. Malinowski moved, seconded by Mr. Livingston, to approve the item. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate approximately \$224,000 of General Fund Unassigned Balance for Legal Services in the Legal Department – Mr. Pearce moved, seconded by Mr. Malinowski, to approve payment of the legal fees with the exclusion of the Election Commission legal fees. The vote in favor was unanimous.

An Ordinance Approving a budget for and the distribution of the revenues from the one percent (1%) sales and use tax for transportation projects for Fiscal Year 2013-2014 and other matters thereto – Mr. Manning moved, seconded by Mr. Livingston, to approve this item. The vote was in favor.

FIRST READING

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate approximately \$100,000 of General Fund Unassigned Balance for Legal Services in the Legal Department – Mr. Livingston moved, seconded by Mr. Pearce, to defer this item pending a review and audit by the Legal Department of the Election Commission's legal bills. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article I, Regulations Regarding County Owned or Leased Property; Section 17-2, Parking on County Office Property; Subsections (a) and (b); and Section 17-3, Sheriff's Deputies assigned as Security Officers to issue tickets; Subsection (a); so as to limit public parking to two hours and to delete the provisions for parking meters – Mr. Malinowski moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

Small Local Business Enterprise ("SLBE") Program – Ms. Dickerson moved, seconded by Mr. Livingston, to approve this item. The vote was in favor.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

Use of Eminent Domain to Acquire Property for Completion of Monticello Road Streetscape Construction – Mr. Manning moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Board of Assessment Appeals-1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
- b. **Historic Columbia Foundation-1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee-2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote was in favor.
- b. **Central Midlands Council of Governments-1** – Mr. Malinowski stated that the committee recommended appointing Ms. Brenda J. Perryman. The vote in favor was unanimous.
- c. **Employee Grievance Committee-2** – Mr. Malinowski stated that the committee recommended re-advertising for these vacancies. The vote in favor was unanimous.
- d. **Hospitality Tax Committee-1** – Mr. Malinowski stated that the committee recommended re-advertising for this vacancy. The vote in favor was unanimous.

III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Community Relations-3** – This item was held in committee.
- b. **Guidelines for Resolutions of Recognition** – Mr. Malinowski stated that the committee recommended amending Council Rule 1.7(b) as follows: “to allow requests for resolutions honoring or recognizing a citizen or organization be placed directly on the agenda and voted on during the motion period by requesting unanimous consent.” The vote was in favor.

OTHER ITEMS

REPORT OF THE AIRPORT COMMISSION:

- a. **Approval of Agreement to Sell Curtiss-Wright Hangar** – This item was taken up during Executive Session.

Mr. Pearce moved, seconded by Mr. Malinowski, to approve the agreement contingent upon the Third Reading of the ordinance. The vote in favor was unanimous.

- b. **An Ordinance Authorizing a Deed to CW Hangar Partners, LLC, for approximately 2.29 acres of land, constituting a portion of Richland County TMS # 13702-09-01A [FIRST READING]** – This item was taken up during Executive Session.

Mr. Pearce moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

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

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 8:07 p.m. and came out at approximately 8:56 p.m.
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- a. **Report of the Chairman: Personnel Matter** – Mr. Pearce moved, seconded by Ms. Dickerson, to proceed as directed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

Have a workshop with Council with South Carolina Department of Transportation ASAP on the IGA with the Penny Sales Tax. The referendum was passed on November 6, 2012, the County starts collecting the penny on May 1, 2013. Currently we do not have an IGA or a Transportation Director/Engineer. This is a priority and needs to be done immediately. Every day without a transportation person and an IGA puts us behind [JACKSON] – This item was forwarded to the A&F Committee.

I move to direct staff to draft appropriate language so as to codify unsafe housing regulations within Chapter 6 of the County Code of Ordinances, which are consistent with the International Property Maintenance Code, as amended [RUSH] – This item was forwarded to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:58 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Joyce Dickerson

Julie-Ann Dixon

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Seth Rose

Torrey Rush

The minutes were transcribed by Michelle M. Onley