

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### REGULAR SESSION MINUTES

February 10, 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. Jackson called the meeting to order at approximately 6:00 PM

#### INVOCATION

The Invocation was given by the Honorable Torrey Rush

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Torrey Rush

#### APPROVAL OF MINUTES

**Regular Session: January 6, 2015** – Ms. Dickerson moved, seconded by Ms. Dixon, to approve the minutes as submitted. The vote in favor was unanimous.

#### ADOPTION OF THE AGENDA

Ms. Dixon moved, seconded by Mr. Manning, 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 item was a potential Executive Session Item:

**a. Contractual Matter – Richland Library**

#### CITIZENS' INPUT

Mr. Rush requested unanimous consent to allow one representative of the Hopkins and Lower Richland Citizens United to speak for no more than 3 minutes.

Mr. Livingston moved, seconded by Mr. Rose, to waive Council Rules and allow a representative of the Hopkins and Lower Richland Citizens United to speak for 3



#### Council Members Present

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

#### Others Present:

Tony McDonald  
Sparty Hammett  
Roxanne Ancheta  
Warren Harley  
Monique Walters  
Brandon Madden  
Michelle Onley  
Monique McDaniels  
Valeria Jackson  
Brad Farrar  
Rob Perry  
Daniel Driggers  
Pam Davis  
Quinton Epps  
Larry Smith  
Kecia Lara  
Donny Phipps  
Casey White  
Cheryl Patrick  
Nelson Lindsay  
Laura Renwick  
Tracy Hegler  
Beverly Harris  
Geo Price  
Amelia Linder

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minutes regarding Item #14 "An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$60,000.00 of General Fund Unassigned Balance to be used for Engineering Design and Easement Acquisition for the Lower Richland Sewer Project."

The motion failed.

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

- a. **FY14 Audit Report/CAFR Distribution** – Mr. Pearce moved, seconded by Mr. Jackson, to receive a brief presentation and hold a work session to discuss the report in further detail. The vote in favor was unanimous.

Mr. Tom McNeish with Elliott Davis gave a brief overview of the FY14 Audit Report.

- b. **Contractual Matter – Richland Library** – This item was taken up in Executive Session.

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

- a. **Benedict College's 28<sup>th</sup> Annual Black History Teleconference for \$2,500** – Ms. McDaniels stated Benedict College has requested Council's support in the amount of \$2,500 for their 28<sup>th</sup> Annual Black History Teleconference.

Mr. Washington moved, seconded by Mr. Jackson, to support the request. A discussion took place with regard to the request coming out of cycle, what budget source would be utilized to provide the funding, and if a budget associated with the event was provided to Council.

Mr. Jeter made a substitute motion, seconded by Mr. Pearce, to support the request at \$1,500. The vote was in favor.

Mr. Pearce requested the Clerk's Office provide the balance of the Council Services discretionary account when a funding request appears on the agenda.

Mr. Malinowski requested that a budget be provided by the organization making the request.

- b. **REMINDER: February Meeting Dates: 17<sup>th</sup> – Regular Session; 24<sup>th</sup> – Committees and Zoning Public Hearing** – Ms. McDaniels reminded Council of the February meeting schedule.

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### REPORT OF THE CHAIRMAN

No report was given.

### OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential and Commercial Zones of the County; so as to define vehicles subject thereto**  
– No one signed up to speak.
- **An Ordinance Amending the Fiscal Year 2014-2015 Public Works Annual Budget to appropriate Two Million Eight Hundred Seventy-Four Thousand Four Hundred Fifty Dollars (\$2,874,450.00) from their Stormwater Fund to purchase the Cabin Branch (Hopkins) Tract Property** – No one signed up to speak.

### APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Fiscal Year 2014-2015 Public Works Annual Budget to appropriate Two Million Eight Hundred Seventy-Four Thousand Four Hundred Fifty Dollars (\$2,874,450.00) from their Stormwater Fund to purchase the Cabin Branch (Hopkins) Tract Property [SECOND READING]**
- **14-38MA, George Goff, HI to GC (15.39 Acres), 1117 & 1105 Sparkleberry Lane Ext., 22909-04-01 & 22905-06-10 [SECOND READING]**

Mr. Pearce moved, seconded by Mr. Jackson, to approve the consent items. The vote in favor was unanimous.

### THIRD READING

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential and Commercial Zones of the County; so as to define vehicles subject thereto** – Mr. Pearce moved, seconded by Ms. Dixon, to approve this item. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to provide regulations for the construction, use, maintenance, and occupancy of mobile home parks, mobile**

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**home park sites, mobile homes, permanent buildings, accessory buildings or structures, and building components located within a mobile home park or a mobile home site, in all parts of the unincorporated areas of Richland County** – Ms. Dixon moved, seconded by Ms. Dickerson, to approve with the exclusion of the following language: “(g) No person shall occupy a camper trailer or recreational vehicle (RV) unless the camper trailer or recreational vehicle (RV) is located in an approved RV park or RV park section of a mobile/manufactured home park.” The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$60,000.00 of General Fund Unassigned Balance to be used for Engineering Design and Easement Acquisition for the Lower Richland Sewer Project** – Mr. Jackson moved, seconded by Ms. Dixon, to approve this item.

Mr. Malinowski inquired if the \$60,000 would be repaid with grant funds or future user fees. Additionally, he inquired as to why a survey has not been provided to the potential Lower Richland Sewer users.

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

The vote was in favor.

Mr. Washington moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.

### SECOND READING

**14-37MA, Ken Simmons, PDD to PDD (89.2 Acres), Trotter Rd., 21800-01-03/14, 21900-09-08** – Mr. Jackson moved, seconded by Ms. Dixon, to accept the applicant’s withdrawal. The vote in favor was unanimous.

**14-39MA, Tobias Ward, RS-LD to PDD (3.92 Acres), 1335 Elm Abode Terr., 07308-05-02/03/08** – Mr. Livingston moved, seconded by Ms. Dickerson, to amend the item to re-define the definition of event. The vote in favor was unanimous.

**An Ordinance Updating the 2009 Comprehensive Plan through the adoption of a new plan for the County of Richland, pursuant to the State of South Carolina Comprehensive Planning Enabling Act of 1994** – Mr. Pearce moved, seconded by Ms. Dixon, to defer this item until the February 17<sup>th</sup> Council meeting. The vote in favor was unanimous.

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### REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

**Student Artwork** – Mr. Rush stated that the committee recommended Council direct the Clerk's Office to work with Richland County School Districts 1, 2, and 5 to display their student's artwork throughout the County building. Staff was directed to provide an estimated cost for displaying the artwork, along with a recommendation from the County's Legal Department regarding any potential liability concerns associated with displaying the artwork throughout the County building.

Mr. Washington requested that the Clerk's Office research methods of displays.

The vote in favor was unanimous.

### REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

**Set-off Debt/GEAR Debt Write-Off** – Mr. Malinowski moved, seconded by Mr. Livingston, to approve the write-off of all Emergency Medical Services (EMS) debts which are currently ten years old as of June 30, 2014. The vote in favor was unanimous.

### REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$839,350 of General Fund Restricted Fund Balance for Economic Development Projects [FIRST READING]** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

**An Ordinance authorizing an amended easement to City of Columbia, South Carolina for a sanitary sewer line across land owned by Richland County; specifically a portion of TMS # 14900-01-02; and authorizing an easement to the City of Columbia, South Carolina for a water line across land owned by Richland County; specifically a portion of TMS # 14900-01-02 [FIRST READING]** – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

**An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Richland County and a company known to the County at this time as "Project Giant" (the "Company"); the execution and delivery of an infrastructure finance agreement by and between Richland County and the Company; the execution and delivery of a land conveyance agreement by and between Richland County and the Company for the conveyance of real property of approximately 197 acres in the I-77 Corridor Regional Industrial Park to the Company; the execution and delivery of such documents as may be necessary to**

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**effect the intent of this ordinance; and other matters related thereto [FIRST READING BY TITLE ONLY]** – Mr. Livingston stated the committee recommended deferral of this item until the February 17<sup>th</sup> Council meeting. The vote in favor was unanimous.

### REPORT OF RULES AND APPOINTMENTS COMMITTEE

#### I. NOTIFICATION OF VACANCIES

- a. **Building Codes Board of Appeals – 2** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- b. **Business Service Center Appeals Board – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- c. **Employee Grievance Committee – 3** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- d. **Internal Audit Committee – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.
- e. **Procurement Review Panel – 2** – Mr. Malinowski stated the committee recommended advertising for the vacancies. The vote in favor was unanimous.
- f. **Richland Memorial Hospital Board – 1** – Mr. Malinowski stated the committee recommended advertising for the vacancy. The vote in favor was unanimous.

#### II. NOTIFICATION OF APPOINTMENTS

- a. **Board of Zoning Appeals – 2** – Mr. Malinowski stated the committee recommended re-appointing Mr. Mike Spearman and Mr. Joshua A. McDuffie. The vote in favor was unanimous.
- b. **Central Midlands Council of Governments – 2** – Mr. Malinowski stated the committee recommended appointing Ms. Connie Breeden and re-advertise the remaining position. The vote in favor was unanimous.

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- c. **Lexington-Richland Alcohol, Drug and Abuse Council (LRADAC) – 2** – Mr. Malinowski stated the committee recommended appointing Ms. Pauline Trabue and Mr. Joshua Fabel. The vote in favor was unanimous.
- d. **Riverbanks Zoo Commission – 1** – Mr. Malinowski stated the committee recommended re-appointing Mr. Marynard “Phil” Bartlett. The vote in favor was unanimous.

### OTHER ITEMS

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

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

**A Resolution to appoint and commission William Simon, Synithia Williams, Kimberly Toney, David Pitts, Gary Barton, Webster Lyons, John Kinloch, Gary Gamble, Allison Steele, and Stacy Culbreath as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County** – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

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

**A Resolution to appoint and commission Tammy A. Brewer, Olin D. Towery, and Katherine A. Sandel as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County** – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

**A Resolution to appoint and commission Raymond F. Peterson, Carla D. Lamb, and James R. Jennings as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County** – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

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**A Resolution to appoint and commission Clevelyn Gates and Branden Wade as Code Enforcement Officers for the proper security, general welfare, and convenience of Richland County** – Mr. Manning moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

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

**2015 Council Retreat Directives** – Mr. Washington moved, seconded by Ms. Dickerson, to approve the Council Retreat Directives with the exceptions of: **OSBO** (1) Directive for the Quick Pay Program and (2) Status of Other OSBO Programs; **Financial Operations** (10) Directive for DSS Facility; **Utilities** (2) Directive for the Lower Richland Sewer Project; **Clerk of Council Office Report** (3) Directive for the Community Relations Strategic Plan; **Council Rules** (1) Directives for the Council Rules; and **Detention Center** (2) Directive for the Detainee Drop Off.

- **Financial Operations: Directive for DSS Facility** – Ms. Dickerson moved, seconded by Ms. Dixon, to direct staff to contact the United Way regarding their intent to use the vacant space in the County's public health building and report back to Council at the February 17<sup>th</sup> meeting. The vote in favor was unanimous.
- **OSBO: Directive for the Quick Pay Program** – Mr. Washington moved, seconded by Ms. Dixon, to moved forward with this program as expeditiously as possible and in addition, to explore alternatives to assist with payment of the subs. The vote in favor was unanimous.
- **OSBO: Status of Other OSBO Programs** – Mr. Washington moved, seconded by Mr. Jackson, to forward this item to the Transportation Ad Hoc Committee and to contact Franklin Lee to gain clarity on the proposed programs. The vote in favor was unanimous.
- **Utilities: Directive for the Lower Richland Sewer Project** – Mr. Malinowski moved to direct the Legal Department to review the County's MOU with the City of Columbia. The motion died for lack of a second.

Ms. Dickerson moved, seconded by Mr. Malinowski, to direct the Legal Department to review the County's MOU with the City of Columbia that allowed encroachment into the County's 208 plan and report back to Council at the March 3<sup>rd</sup> Council meeting. The vote in favor was unanimous.

- **Detention Center: Directive for the Detainee Drop Off** – Mr. Livingston moved, seconded by Ms. Dickerson, to direct staff to proceed with the

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procurement process to identify the cost of transporting former detainees upon their release. The vote in favor was unanimous.

Mr. Malinowski requested a legal opinion regarding the County's liability in regard to transporting the former detainees.

- **Clerk fo Council Office Report: Directive for the Community Relations Strategic Plan** – Mr. Malinowski moved, seconded by Ms. Dixon, to direct staff to provide the following information by the March 17<sup>th</sup> Council meeting: (1) Provide detailed information on the statutory and contractual agencies regarding their events and how they would like the County to participate in their events; (2) Provide a history of Council's relationship with each statutory and contractual agency; (3) Research the Ad Hoc Committee that previously performed a review of the County's method for funding statutory and contractual agencies. The vote in favor was unanimous.
- **Council Rules: Directives for the Council Rules** – Mr. Malinowski moved, seconded by Ms. Dixon, to defer this item until the February 17<sup>th</sup> Council meeting. The vote in favor was unanimous.

**FY15-16 Budget Calendar** – Mr. Washington moved, seconded by Ms. Dixon, to defer this item until the February 17<sup>th</sup> Council meeting. The vote in favor was unanimous.

### CITIZENS' INPUT

Mr. Paul Brawley spoke regarding the Hopkins and Lower Richland Citizens United group not being permitted to make a presentation to Council at the Council Retreat.

### EXECUTIVE SESSION

*Council went into Executive Session at approximately 7:40 p.m.  
and came out at approximately 8:06 p.m.*

- a. **Contractual Matter – Richland Library** – No action was taken.

**POINT OF PERSONAL PRIVILEGE** – Mr. Manning recognized there was a Chapin High School Student in the audience observing the meeting for a Political Science class.

### MOTION PERIOD

- a. **Move to fund and/or seek a partnership with SCEG to plant indigenous flowers and plants along transmission line corridors in Richland County [ROSE]** – Mr. Rush referred this item to the D&S Committee.

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- b. **Resolution honoring Leroy York from Richland School District Two for being awarded Counselor of the Year by the Palmetto State School Counselor Association [DIXON]** – Mr. Pearce moved, seconded by Mr. Malinowski, to adopt the resolution honoring Leroy York. The vote in favor was unanimous.
- c. **I move that all Richland County Council districts that have more than 75% in city population, not geographical, must be at large [JACKSON]** – Mr. Rush referred this item to the A&F Committee.

### ADJOURNMENT

The meeting adjourned at approximately 8:09 PM.

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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