

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 17, 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	Joyce Dickerson
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

OTHERS PRESENT - Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Stephany Snowden, Jennifer Dowden, Joe Cronin, Larry Smith, Amelia Linder, Anna Almeida, Michael Criss, Brenda Carter, Betty Etheredge, Marlin Henderson, Audrey Shifflett, Pam Davis, Teresa Smith, Janet Claggett, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

INVOCATION

A moment of silence was taken in honor of the Virginia Tech students that were killed and Ms. Scott's brother, who recently passed away.

The Invocation was given by the Honorable Bill Malinowski

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson announced that she had taken an early retirement effective April 15th.

PRESENTATION OF RESOLUTIONS

Marlin Henderson—Retired Employee – Ms. Scott and Mr. Jeter presented Ms. Marlin Henderson with a resolution in honor of her retirement.

PRESENTATIONS

Homeworks of America – Mr. Hank Chardos made a brief presentation regarding the Homeworks of America program.

Columbia Classical Ballet – Ms. Lee Lumpkin thanked County Council for their continued support, spoke regarding the Columbia Classical Ballet's Life Chance Program and invited County Council to attend next year's presentation on January 26, 2008.

POINT OF PERSONAL PRIVILEGE – Ms. Scott recognized that Eastover Mayor Christopher Campbell was in the audience.

CITIZEN'S INPUT

Eastover Mayor Christopher Campbell spoke regarding donation of undedicated fire truck to Kira, Uganda.

APPROVAL OF MINUTES

Regular Session: April 3, 2007 – Mr. Livingston moved, seconded by Ms. Hutchinson, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Smith requested that pending litigation—Northeast Sanitary Landfill vs. Richland County be added to the agenda under the Report of County Attorney for Executive Session Items. Ms. Scott moved, seconded by Mr. Montgomery, to add this item to the agenda.

Mr. Montgomery moved, seconded by Ms. Scott, to adopt the agenda as amended.

Mr. Pope stated that Item 1.h. needed to be removed from the agenda.

Mr. Montgomery accepted the amendment to the agenda.

Ms. Smith requested that Executive Session be held after Citizens Input.

Mr. Montgomery accepted the amendment to the agenda.

The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following items were potential Executive Session Items:

- a. **Legal Update—FEMA**
- b. **Pending Litigation—Northeast Sanitary Landfill vs. Richland County**
- c. **Employee Grievances**

REPORT OF THE COUNTY ADMINISTRATOR

Alvin S. Glenn Detention Center Presentation – Mr. Pope recognized Lt. Genita Burroughs upon her retirement and her various achievements during her career with the Alvin S. Glenn Detention Center.

E911 Report – Mr. Pope stated that additional employment initiatives are being reviewed by the County and City legal departments and that the agreement will be coming back to Council in the future.

April 24th D&S Committee Meeting Time – Mr. Pope stated that the meeting time may have to be adjusted to accommodate all of the items on the D&S agenda.

Sewer Extension Policy Questions – Mr. Pope stated that he had forwarded to Council any questions regarding the sewer extension policy. If any information is needed, please contact his office.

Millage Packets – Mr. Pope stated that the millage agency requests were placed in Council's mailboxes this afternoon.

REPORT OF THE CLERK OF COUNCIL

Work Session Date for Business Service Center – Ms. Finch inquired if there was a suggested time to hold the work session. This item will be taken up during the motion period.

SCAC's 40th Annual Conference – Ms. Finch stated that she had received the information regarding the conference and needed to know which Council members plan to attend the conference in order that she may make hotel reservations.

REPORT OF THE CHAIRMAN

Update: Transportation Study Commission Kick-Off Meeting – Mr. McEachern stated that the kick-off meeting was held last week. He commended the staff and the commission appointees on their hard work.

PUBLIC HEARING ITEMS

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

- **An Ordinance Amending Ordinance No. 011-06HR, which authorized a deed to L-J, Inc. for Lot 18 & 19 in the Richland Northeast Industrial Park, so as to allow the lots to be conveyed to David N. Jordan** – No one signed up to speak.
- **Approval of Resolution: South Carolina JEDA Bond Lutheran Homes Bond Issue** – No one signed up to speak.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

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

- **07-14MA, Jerry Rye, RU to GC (3.287 Acres), Office Retail, 00500-04-03, US 76 & Wessinger Road** [Third Reading]
- **07-18MA, Carolina Ceramics, RU to HI (118.91 Acres), Shale Mining Operation, 23700-03-02 & 26600-03-01, Hidden Valley Road & Hwy. 232** [Third Reading]
- **07-21MA, Lake Carolina, PDD to Amended PDD (167.1 Acres), PDD Amendment, 23300-03-01, Lake Carolina & Kelly Mill Road** [Third Reading]
- **07-03MA, Congaree Point, M-1/GC to PDD, Mixed Use Development, 13500-02-04 & 13510-01-03, Atlas & Bluff Road** [Third Reading]
- **An Ordinance Amending the Ordinance No. 011-06HR, which authorized a deed to L-J, Inc. for Lot 18 & 19 in the Richland Northeast Industrial Park, so as to allow the lots to be conveyed to David N. Jordan** [Third Reading]
- **Emergency Services: Request for Approval of Stretcher and EKG Equipment Purchases (Budget Amendment)** [Second Reading]
- **An Ordinance Authorizing the Granting of a Sanitary Sewer Right-of-Way Easement to the City of Columbia Across Property Identified as a Portion of TMS# 17400-09-15, to serve the Killian Crossroads Development** [Second Reading]
- **Sheriff's Department: Budget Amendment for Special Duty Pay and Request for One Additional FTE** [Second Reading]

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions Created and Recognized; so as to create a Business Service Center Appeals Board [First Reading]**
- **Approval of Resolution: South Carolina JEDA Bond Lutheran Homes Bond Issue**

The vote in favor was unanimous.

THIRD READING ITEMS

06-54MA, Stephen Spangler, Beach Equity Investment, HI to RM-HD, Multi-Family Residential, 17200-03-01(p), Farrow Road & Business Park Blvd. – Ms. Smith recused herself and did not participate in any discussion or vote relating to this item representing a potential conflict of interest.

Ms. Livingston moved, seconded by Ms. Scott, to approve this item. The vote was in favor. Mr. McEachern opposed.

06-55MA, Stephen Spangler, Beach Equity Investment, HI to RM-HD, Multi-Family Residential, 17200-03-24, Farrow Road & Business Park Blvd. – Ms. Smith recused herself and did not participate in any discussion or vote relating to this item representing a potential conflict of interest.

Mr. Livingston moved, seconded by Ms. Scott, to approve this item. The vote was in favor. Mr. McEachern opposed.

An Ordinance Authorizing Richland County, South Carolina, to enter into a loan agreement with the bank in the approximate amount of \$25,000,000 to be paid from and secured by a pledge of the County's local hospitality tax; approving the form and term of certain documents in connection with the loan; authorizing the County Administrator to determine certain matters relating to the loan; providing for the payment of the loan and the disposition of the proceeds thereof; and other matters related thereto – A discussion took place.

Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

- a. **Central Midlands RTA—4** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

- b. **Employee Grievance Committee—2** – Mr. Montgomery stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF VACANCIES

- a. **Board of Assessment Appeals—1** – Mr. Montgomery stated there was one applicant and one vacancy. The committee's recommendation was to re-appoint Mr. Joseph B. Rosen. The vote in favor was unanimous.
- b. **Internal Audit Committee—2** – Mr. Montgomery stated there was one applicant and two vacancies. The committee's recommendation was to appoint Mr. Marlon M. Walters and to re-advertise for the other vacancy. The vote in favor was unanimous.
- c. **Township Auditorium Board—3** - Mr. Montgomery stated there were four applicants and three vacancies. The committee's recommendation was to fill two vacancies and re-advertise for the remaining vacancy and the vacancy that will be coming open. The committee recommended rolling over the two applications that were received to the next wave of appointments for the 2 positions to be advertised. A discussion took place.

The committee's recommendation was to appoint Mr. Chris Leevy Johnson and Mr. John Whitehead. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Citadel Foundation/Northpoint Industrial Park—Contract Approval – Mr. Jeter stated the committee recommended deferral of this item. The vote in favor was unanimous.

FN Manufacturing: Covenants Exception – Mr. Jeter stated that the committee recommended approval of this item. The vote in favor was unanimous.

REQUEST BY COUNCILMEMBERS

Eastover Request: Fire Truck for Kira, Uganda – Ms. Scott moved, seconded by Mr. Jackson, to approve this item. A discussion took place.

The vote in favor was unanimous.

Approval of Contract with Sungard Bi-Tech for the purchase of Finance and Human Resource Software System (Deferred from Council Meeting held March 20, 2007) – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION ITEMS

- a. **Legal Update—FEMA** – No action was taken.
- b. **Pending Litigation: Northeast Sanitary Landfill vs. Richland County**
– Ms. Smith moved, seconded Mr. Montgomery, to direct legal staff to enter into discussion regarding this matter and report back to Council. The vote in favor was unanimous.
- c. **Employee Grievances** – Ms. Scott moved, seconded by Mr. Jeter, to oppose the Administrator's recommendation on the first employee grievance. The vote in favor was unanimous.

Ms. Scott moved, seconded by Mr. Jeter, to uphold the Administrator's recommendation and to allow the applicant to reapply for another County position. The vote in favor was unanimous.

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 7:13 p.m. and came out at approximately 8:24 p.m.
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Mr. Montgomery moved, seconded by Mr. Pearce, to come out of Executive Session. The vote in favor was unanimous.

MOTION PERIOD

Licensing and Location of Sexually-Oriented Businesses – Mr. Montgomery requested that Administration prepare a report to the A&F Committee with regard to the licensing and location of sexually-oriented business and Richland County and how enforcement of those businesses is addressed.

Yard Parking in RS-LD, RS-MD, and RS-HD Zones – Mr. Montgomery forwarded to the D&S Committee the issue of yard parking in RS-LD, RS-MD and RS-HD zones.

Business Service Center Work Session – Ms. Smith moved, with unanimous consent, to schedule the work session for April 26th from 4:00 p.m.-6:00 p.m.

Partnership to Share Electronic Data – Mr. Jackson forwarded to the A&F Committee the development of a partnership between the South Carolina National Guard and other government agencies, if necessary, to share electronic data, including GIS and other services, at a nominal fee. The vote in favor was unanimous.

Architectural Review Board – Mr. Jackson forwarded to Rules & Appointments Committee the development of an Architectural Review Board for the County or for each Council District.

ADJOURNMENT

The meeting adjourned at approximately 8:38 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