

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JULY 19, 2011 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	Paul Livingston
Vice Chair	Damon Jeter
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Seth Rose
Member	Kelvin Washington
Absent:	Gwendolyn Davis Kennedy
	Joyce Dickerson

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Melinda Edwards, Pam Davis, Paul Alcatar, Kecia Lara, Geo Price, Rodolfo Callwood, Donny Phipps, Larry Smith, Anna Fonseca, Amelia Linder, Dale Welch, Sara Salley, Dwight Hanna, Joe Hallbick, Carolyn Yon, John Hixson, Michael Byrd, Monique McDaniels, 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 Jim Manning

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Jim Manning

APPROVAL OF MINUTES

Regular Session: July 5, 2011 – Mr. Jackson moved, seconded by Ms. Hutchinson, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Livingston stated that the Lower Richland Sewer Plant needed to be added under the Report of the Chair. This item will be discussed in Executive Session.

Mr. Pearce moved, seconded by Mr. Malinowski, to adopt the agenda as amended. The vote in favor was unanimous.

Mr. Pope requested that the Fire Contract/Audit Update under the Report of the County Administrator be taken up immediately following the Report of the Attorney for Executive Session Items since the consultants were present at the meeting.

Ms. Hutchinson moved, seconded by Mr. Pearce, to reconsider the adoption of the agenda. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Malinowski, to adopt the agenda as further amended. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

a. Legal Settlement Update

Mr. Livingston stated that Councilwoman Kennedy and Councilwoman Dickerson were not present at the meeting due to their attendance at the NaCo Conference.

CITIZENS' INPUT

Mr. James Sykes, Ms. Merian Stallings, Ms. Cassidy Jacobs, Ms. Margaret Harper, Ms. Cynthia Hayward, and Mr. Jim DeWitt spoke regarding the Decker Mall.

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Council went into Executive Session at approximately 6:27 p.m. and came out at approximately 6:45 p.m.
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Mr. Pearce moved, seconded by Mr. Washington, to reorder the agenda to allow the presentations next on the agenda. The motion failed.

REPORT OF THE COUNTY ADMINISTRATOR

Fire Contract/Audit Update – This item was taken up in Executive Session. This item was subsequently forwarded to the Fire Ad Hoc Committee.

Richland 101 for Kids – Ms. King gave a brief presentation regarding the Richland 101 for Kids.

Summer Celebration of Water, Riverfront Park, August 6th, 9:00 a.m.-2:00 p.m. – Ms. King invited Council to attend the Summer Celebration of Water

Mr. Manning moved, seconded by Mr. Malinowski, to reorder the agenda to take up Items 6a, 6b and 31 up and then resume the agenda as printed. The vote in favor was unanimous.

PRESENTATIONS

SCAC—Programs and Services and Legislative Update – Mr. Josh Rhodes gave a brief presentation on the services and programs offered by the SCAC.

911 Monument Presentation – Mr. Dan Hennigan have a brief update on the 911 Monument that is being constructed in front of the Columbia Metropolitan Convention Visitors Center.

OTHER ITEM

Report of the Decker Mall Space Allocation Committee – Mr. Pearce moved, seconded by Mr. Malinowski, to accept the committee recommendations and to encourage the committee to meet as soon as possible to bring back additional recommendations to Council. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Joint City-County Consolidation/Privatization Ad Hoc Committee Meeting, July 21st, Columbia City Hall – Mr. Pope stated that the meeting will be held on July 21st and had been placed on Council's calendar.

Register of Deeds Presentation – Mr. John Hopkins, Interim Director of the Register of Deeds Office introduced himself. Mr. Hopkins and Mr. Collins from the IT Department gave a brief presentation regarding the new Register of Deeds online services.

Community Development Report – This item was deferred.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIRMAN

CMRTA Update – Mr. Livingston stated that the recommendation from the RTA was to continue the funding through the end of their fiscal year (September 30). During a meeting with the City of Columbia Mayor, Columbia City Manager, Lexington County Council Chair, Lexington County Administrator, Richland County Council Chair and Mr. Pope agreed to request the funding from their respective bodies with the following stipulations: (1) Request the RTA to hire an external auditing firm to perform an audit; (2) Hire an interim Director; (3) and begin the process of restructuring the Board.

Mr. Pearce moved, seconded by Mr. Jeter, to approve the recommendation. A discussion took place.

The vote was in favor.

Lower Richland Sewer – This item was taken up in Executive Session.

OPEN/CLOSE PUBLIC HEARING

An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$79,000 of General Fund Undesignated Fund Balance to Clerk of Court for the purchase of additional shelving in Family Court, Civil Records, Criminal Records and the Archives Room – No one signed up to speak.

APPROVAL OF CONSENT ITEM

- **11-06MA, Pallay R. Desai, RU to NC (.76 Acres), 9401 Wilson Blvd., 14700-03-33 [THIRD READING]**
- **11-07MA, Richland County, TROS to RS-LD (12.49 Acres), Longcreek Plantation, 20406-02-01(p) [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-52, Inspections Required; so as to not require inspection of occupied structures unless there are safety concerns [SECOND READING]**
- **An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67 [SECOND READING]**

- **An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$91,754 of General Fund Undesignated Fund Balance to the Solicitor for Grant Match Funds [SECOND READING]**
- **An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67 [SECOND READING]**

Mr. Washington moved, seconded by Mr. Jackson, to approve the consent item. The vote in was unanimous.

THIRD READING

An Ordinance Amending the Fiscal Year 2010-2011 General Fund Annual Budget to appropriate \$79,000 of General Fund Undesignated Fund Balance to Clerk of Court for the purchase of additional shelving in Family Court, Civil Records, Criminal Records and the Archives Room – Mr. Pearce moved, seconded by Mr. Jackson, to approve this item. The vote was in favor.

SECOND READING

Authorizing and Providing for the Issuance of a Hopkins Waterworks System Improvement Revenue Bond, Series 2011, or such other appropriate series designation, of Richland County, South Carolina, in an amount not to exceed \$2,033,000; authorizing the County Administrator to determine certain matters relating to the note; providing for form and details of the bond; providing for the payment of the bond; providing for the disposition of the proceeds thereof; and other matters relating thereto – Mr. Malinowski moved, seconded Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-6, Smoking of Tobacco Products; Subparagraph (G), Reasonable Distance; so as to prohibit smoking within fifteen (15) feet of a door used as an entrance to or exit from an enclosed area where smoking is prohibited – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. A discussion took place.

Ms. Hutchinson made a substitute motion, seconded by Mr. Malinowski to amend the title of the ordinance to Fifteen (15) feet instead of Twenty (20) feet. The vote was in favor.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Responses from RFP to Employee and Retiree Group Benefit Services – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve Alternative #2: “Approve and

authorize staff to implement wellness incentive program and negotiate and award contracts to the recommended vendors.”

Mr. Manning moved, seconded by Mr. Washington, to amend the motion to approve the consultant’s anti-regressive tax tier plan. A discussion took place.

<u>For</u>	<u>Against</u>
Manning	Pearce
Washington	Malinowski
	Jackson
	Hutchinson
	Jeter
	Livingston
	Rose

The vote on the motion to amend failed.

<u>For</u>	<u>Against</u>
Pearce	Manning
Malinowski	Washington
Jackson	
Hutchinson	
Jeter	
Livingston	
Rose	

The vote was in favor of the original motion.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES

- a. **Board of Assessment Control—1** – Mr. Malinowski stated that the committee recommended advertising for this position. The vote in favor was unanimous.
- b. **Central Midlands Council of Governments—1** – Mr. Malinowski stated that the committee recommended advertising for this position. The vote in favor was unanimous.
- c. **Community Relations Council—3** – Mr. Malinowski stated that the committee recommended advertising for these positions. The vote in favor was unanimous.

II. NOTICICATION OF APPOINTMENTS

- a. **Accommodations Tax Committee—5** – Mr. Malinowski stated that the committee recommended appointing Mr. Thomas A. Boland, Sr. and re-advertising for the remaining positions. The vote in favor was unanimous.
- b. **Appearance Commission—2** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- c. **Building Codes Board of Adjustments and Appeals—3** – Mr. Malinowski stated that the committee recommended re-advertising for these positions. The vote in favor was unanimous.
- d. **Business Service Center Appeals Board—1** – Mr. Malinowski stated that committee recommended re-advertising for this position. The vote in favor was unanimous.
- e. **Central Midlands Council of Governments—1** – Mr. Malinowski stated that committee recommended re-advertising for this position. The vote in favor was unanimous.
- f. **Hospitality Tax Committee—1** – Mr. Malinowski stated that the committee recommended appointing Mr. Craig H. Parks. The vote in favor was unanimous.
- g. **Internal Audit Committee—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.
- h. **Library Board—4** – Mr. Malinowski stated that the committee recommended re-appointing Mr. Robert E. Gahagan, Mr. James Judson (Jack) Godbold, Mr. Kirby D. Shealy, III and appointing Ms. JoAnn Turnquist.

Mr. Jeter moved, seconded by Mr. Malinowski, to re-appoint the incumbents and take an individual vote on the remaining to applicants. The vote in favor was unanimous.

Mr. Jeter and Mr. Washington voted for Ms. Clarissa T. Adams.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. Livingston, Mr. Manning and Mr. Rose voted for Ms. JoAnn Turnquist.

Ms. JoAnn Turnquist was appointed.

- i. **Music Festival Board—1** – Mr. Malinowski stated that the committee recommended re-advertising for this position. The vote in favor was unanimous.

III. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Electronic Participation** – This item was held in committee.

CITIZEN'S INPUT

No one signed up to speak.

EXECUTIVE SESSION

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Council went into Executive Session at approximately 8:13 p.m. and came out at approximately 9:13 p.m.
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- a. **Lower Richland Sewer** – No action was taken.
- b. **Legal Settlement Update** – No action was taken.

MOTION PERIOD

Any lobbying firm employed by Richland County to represent the interests of Richland County shall agree in writing that any lobbyist(s) working either directly for their firm or under contract with their firm will not lobby members of Richland County Council representing the interests of private citizens, groups of citizens, private companies and/or non-profit organizations regarding any matter that will be addressed by Richland County Council. Failure to comply with this request shall result in the County exercising its right to terminate the contractual arrangement and rebid the services [PEARCE] – This item was referred to the A&F Committee.

I move that the item "Presentations" that frequently appears on the Council agenda be reassigned to a place on the agenda immediately following the item "Approval of the Agenda". On numerous occasions, individuals and/or groups involved in making presentations to Council are having to wait for long periods of time while Council wades through informational and procedural matters. Out of respect and courtesy to our guests, it is my opinion that we should hear presentations first and then move on to the other affairs of Council [PEARCE] – This item was referred to the Rules & Appointments Committee.

Motion to place certain department heads to at will status [JACKSON] – This item was referred to the A&F Committee

Having an Economic Development Director to be competitive and effective motion to revisit the County Business License to adjust or refigure [JACKSON] – This item was referred to the Chamber’s Independent Review Task Force.

ADJOURNMENT

The meeting adjourned at approximately 9:18 p.m.

Paul Livingston, Chair

Damon Jeter, Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Bill Malinowski

Jim Manning

L. Gregory Pearce, Jr.

Seth Rose

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley