



**MINUTES OF
RICHLAND COUNTY COUNCIL
REGULAR SESSION
JULY 2, 2013
6:00 PM**

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

OTHERS PRESENT – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Justine Jones, Amelia Linder, John Hixon, Geo Price, Tracy Hegler, Dwight Hanna, Sara Salley, Bill Peters, Nelson Lindsay, Ronaldo Myers, Dale Welch, David Hoops, Chris Eversmann, Valeria Jackson, Buddy Atkins, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 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.

POINT OF PERSONAL PRIVILEGE – Mr. Malinowski expressed condolences to the families of Sgt. Derek El Dada and his wife who were tragically killed in a motorcycle accident.

APPROVAL OF MINUTES

Regular Session: June 18, 2013 – Mr. Livingston moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: June 25, 2013 – Mr. Pearce moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Jackson moved, seconded by Ms. Dixon, to approve the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

There were no items for Executive Session.

CITIZENS INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

- a. **State Infrastructure Bank Update** – Mr. McDonald stated that Richland County has been asked to join the City of Columbia, Airport, and Lexington County in a joint funding application for the John Hardee Expressway and Assembly Street Project. Each entity has been requested to contribute \$4,000 toward the consultant's fee.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIR

No report was given.

PRESENTATIONS

Association of Counties – Mr. Josh Rhodes from the SC Association of Counties gave a brief overview of the services provided by the association and legislation that affects the County.

OPEN/CLOSE PUBLIC HEARINGS

- a. **An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$324,000 of General Fund Unassigned Balance for Legal Services in the Legal Department – No one signed up to speak.**
- b. **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 – No one signed up to speak.**
- c. **FY13 Budget Amendment for Risk Management – No one signed up to speak.**
- d. **Small Local Business Enterprise (“SLBE”) Program – No one signed up to speak.**
- e. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in General; Section 21-13, Emergency Maintenance of Roads; so as to delete subsection (c) in its entirety – No one signed up to speak.**

APPROVAL OF CONSENT ITEMS

- ❖ **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 [THIRD READING]**
- ❖ **An Ordinance Providing for the Issuance and Sale of General Obligation Bonds (for the benefit of the Richland Library) of Richland County, South Carolina, in an aggregate principal amount of not exceeding fifty nine million three hundred twenty one thousand nine hundred dollars (\$59,321,900); delegating to the County Administrator certain authority related to the bonds; providing for the payment of said bonds; and other matters relating thereto [THIRD READING]**
- ❖ **An Ordinance Amending the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-13, Emergency Maintenance of Roads; so as to delete subsection (c) in its entirety [THIRD READING]**
- ❖ **13-20MA, John Champoux, RU to RS-LD (6.75 Acres), Knollside Drive, 20500-06-18/21 & 20500-04-21 [SECOND READING]**
- ❖ **13-22MA, Terry Harris, 7950 Bluff Rd., RU to RC (12.79 Acres), 32400-02-25 [SECOND READING]**

- ❖ **Department of Public Works Purchase of Volvo G930B Motor Grader for Drainage Division**
- ❖ **Review categorizing zoning districts that allows for more “sub-categories” in the various districts and eliminate general categories**
- ❖ **Residential Parking Permits in Portions of Olympia and Neighboring Communities**
- ❖ **Hold Workshop with SCDOT re: Transportation Penny IGA**
- ❖ **2013 National Aviation Week Proclamation**
- ❖ **Staff Recognition for Wellness Efforts**
- ❖ **Petition to Close a Portion of Pinner Road**
- ❖ **Local Public Agency Administration**
- ❖ **Collecting H-Tax at Sponsored Events**
- ❖ **Budget Motions List**
- ❖ **FY14 Airport Master Rate Schedule and Ramp Fee Collection Procedures**
- ❖ **Requested Authorization for Negotiation and Award of Fleet Maintenance Contract**
- ❖ **Approval of FY13-14 Budgets within the FY12-16 Consolidated Plan for Community Development Department Funds**
- ❖ **Purchase of Building and Lot for New Blythewood Magistrate District Office – Mr. Pearce moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.**

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

THIRD READING

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$324,000 of General Fund Unassigned Balance for Legal Services in the Legal Department – Mr. Livingston moved, seconded by Mr. Jackson, to approve this item.

<u>For</u>	<u>Against</u>
Jackson	Dixon
Washington	Malinowski
Livingston	Rose
Jeter	Pearce
	Dickerson
	Rush

The motion failed.

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

Mr. Pearce moved, seconded by Ms. Dickerson, to approve payment of the legal fees with the exception of the Election Commission. A discussion took place.

Mr. Pearce withdrew his motion.

Mr. Malinowski moved to request the Legal Department to review the attorney's billing statements and items that were discussed other than the Election Commission, i.e. CMRTA.

Motion died for lack of a second.

Mr. Jeter moved, seconded by Ms. Dixon, to approve payment of all legal fees minus \$1.00.

<u>For</u>	<u>Against</u>
Dixon	Malinowski
Jackson	Rose
Washington	Pearce
Livingston	Rush
Dickerson	
Jeter	

The vote was in favor.

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$300,000 of General Fund Unassigned Balance for legally obligated claims for the Richland County Risk Management Department – Mr. Jackson moved, seconded by Ms. Dixon, to table this item. 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 related thereto – CMRTA FY14 Budget – Ms. Dickerson moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

- a. **CMRTA IGA** – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

Mr. Rush made a substitute motion, seconded by Mr. Malinowski, to defer this item until the July 16th Council meeting.

<u>For</u>	<u>Against</u>
Dixon	Jackson
Malinowski	Rose
Washington	Pearce
Rush	Livingston
	Dickerson
	Jeter

The motion to defer failed.

The vote for approval was in favor.

- b. **CMRTA Resolution** – Ms. Dickerson moved, seconded by Mr. Rose, to approve this item. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce recognized that Representative Todd Rutherford was in the audience.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; so as to abolish the Appearance Commission and to amend the Conservation Commission's responsibilities to include Appearance – Ms. Dickerson moved, seconded by Mr. Pearce, to approve this item. The vote was in favor.

SECOND READING

Small Local Business Enterprise ("SLBE") Program – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item. A discussion took place.

Mr. Jackson made a substitute motion, seconded by Mr. Washington, to accept the changes made at during the work session. A discussion took place.

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

The substitute motion failed.

The vote in favor was unanimous to give Second Reading approval to this item, incorporate changes from the work session into the ordinance and to request that Council members submit their suggested changes prior to Third Reading.

An Ordinance Authorizing the Issuance and Sale of not to exceed \$250,000,000 General Obligation Bonds and \$50,000,000 General Obligation Bond Anticipation Notes, in one or more series, in one or more years, with appropriate series designations, of Richland County, South Carolina; fixing the form and details of the bond and the notes; delegating to the County Administrator certain authority related to the bonds and the notes; providing for the payment of the bonds and the notes and the disposition of the proceeds thereof; and other matters relating thereto – Mr. Livingston moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

Ordinance Authorizing the Execution and Delivery of a Fee Agreement by and between Richland County, South Carolina and Intertape Polymer Corp. providing for a payment of a Fee in Lieu of Taxes and other matters related thereto – Mr. Livingston stated that the Economic Development Committee recommended approval. The vote in favor was unanimous.

Authorizing the Execution and Delivery of a First Amendment to the Infrastructure Credit Agreement by and among Richland County, South Carolina and Project PT, to provide for an extension of the Special Revenue Credit and to apply it to an additional investment commitment and additional job commitment by Project PT; and other matters thereto related – Mr. Livingston moved, seconded by M s. Dickerson, to defer this item. The vote in favor was unanimous.

Authorizing the Execution and Delivery of a Fee in Lieu of Tax Agreement by and among Richland County, South Carolina, a sponsor and a sponsor affiliate collectively known as Project Sweetbay, to provide for a Fee-in-Lieu of Ad Valorem Taxes; and other related matters – Mr. Livingston stated that the Economic Development Committee recommended approval. The vote in favor was unanimous.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

Department of Public Works Purchase of Small Motor Grader for Asphalt Crew – Mr. Malinowski moved, seconded by Mr. Jackson, to defer until after Executive Session.

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

Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer – Mr. Jackson stated that the committee recommended approval of this item. A discussion took place.

Mr. Malinowski moved, seconded by Mr. Rose, to approve this item with the contingency that SCDOT will provide a written statement that they are willing to accept maintenance responsibility once the project has been completed. The vote was in favor.

Review Priority Investment Areas in Council District One – Mr. Jackson stated that the committee recommended approval of the committee's recommendation to review all Council districts. A discussion took place.

Mr. Malinowski made a substitute motion to move forward with the review of Council District One. The motion died for lack of a second.

The vote was in favor of the committee's recommendation.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Inmate Food Service Management Contract – Mr. Malinowski moved, seconded by Mr. Rush, to approve pending the recalculation of costs. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance to Amend the Master Agreement Governing the I-77 Corridor Regional Industrial Park to include additional properties [FIRST READING BY TITLE ONLY] – Mr. Livingston stated that the committee recommended approval. The vote was in favor.

OTHER ITEMS

Report of the Hospitality Tax Review Committee:

- a. Discussion of Items Referred During Budget Process
- b. Working Definition of Tourist/Tourism
- c. \$44M in Tourism-Related Projects
- d. Review of May 13, 2013 Hospitality Tax Committee Memo
 1. Review Current Hospitality Tax Guidelines
- e. Development of Criteria to Measure Accountability for Oversight Purposes
- f. Feasibility Studies for Proposed Projects

Mr. Rose moved, seconded by Mr. Rush, to defer these items until the July 16th Council meeting. The vote in favor was unanimous.

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

CITIZENS' INPUT

No one signed up to speak.

MOTION PERIOD

- a. To present a resolution to the Richland County Sheriff's Department to acknowledge the Department being a recipient of the prestigious Freedom Award, which will be presented to them in Washington, DC [MALINOWSKI] – This item was referred to the A&F Committee.
- b. Any item on the consent agenda that is deferred should not be placed on the consent agenda when it is again placed on the agenda. The reason for a deferral is

usually because additional information is being sought, and the new or added information does not make the matter the same as was previously on the consent agenda [MALINOWSKI] – This item was referred to the A&F Committee.

- c. **Approve \$82,000 for Palmetto City Capital Classic [WASHINGTON]** – This item was referred to the Economic Development Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:02 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