

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 7, 2009 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	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

OTHERS PRESENT – Michielle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Joseph Kocy, Anna Almeida, Amelia Linder, Brandon Hooker, Valeria Jackson, Jocelyn Jennings, Paul Alcatar, Pam Davis, Daniel Driggers, 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 L. Gregory Pearce, Jr.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable L. Gregory Pearce, Jr.

PRESENTATIONS

DHEC Recycling Award Presentation – This presentation was deferred until the April 21st Council meeting.

Project Hope (Community Initiative) – Mr. Earl McLeod, Mr. Dennis Torbett, Vice President for Workforce Training and Employment for Home Builders Institute, and Mr. Marco Williams, Project Director for Project Hope, gave a brief presentation regarding this program.

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: March 17, 2009 – Ms. Dickerson moved, seconded by Mr. Pearce, to reconsider the portion of the minutes regarding the Mass Transit Fee Ordinance and CMRTA Intergovernmental Agreement. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Manning, to approve the minutes as amended. The vote in favor was unanimous.

Zoning Public Hearing: March 24, 2009 – Mr. Pearce moved, seconded by Ms. Smith, to approve the minutes as corrected. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Jeter moved, seconded by Ms. Dickerson, to adopt the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Waste Management Contract Amendment**
- b. **HBA vs. Richland County**
- c. **Vineyard vs. Lott**
- d. **Columbia Venture**
- e. **CMRTA Intergovernmental Agreement**

REPORT OF THE COUNTY ADMINISTRATOR

Rowing Club MOU – This item was on the agenda for action.

Comprehensive Plan Public Input Meetings Reminder (3 Remaining) – Mr. Kocy stated that the three remaining meetings are April 9th at the Lower Richland Community Center in Eastover, April 14th at the Adult Activity Center on Parklane Road, and April 15th at the St. Andrews Branch of the Richland County Public Library. The Zoning Public Hearing has been scheduled for April 28th.

Update on American Dream Conference – Ms. Stephany Snowden gave a brief update regarding this item.

Update on Animal Shelter Grand Opening – Ms. Roxanne Matthews stated that Joint City-County Animal Shelter Grand Opening took place on April 3rd. A press conference was held and Chairman Livingston represented the County. The new wing is operational and Council members who wish to tour facility may do so by contacting Ms. Matthews.

Project Pet Status Update – Ms. Matthews stated that the space programming and building layout has been verified and the project is now in the design phase, which should be completed by the end of the month. The bidding, negotiations and award should be completed by mid-October. The expected construction completion date is August 2010.

Economic Development Strategic Plan Work Session: Schedule – Ms. Matthews stated the project is drawing to a close. A Special Called Economic Development Committee meeting is proposed for April 21st from 4-5 p.m. with a full Council work session immediately following from 5-6 p.m. to present the final plan.

Stimulus Update/Mr. Livingston's Stimulus Ad Hoc Committee – Mr. Pope stated that the first meeting of the Stimulus Ad Hoc Committee has met. Information was provided to the committee on what staff is working on and a work plan is being developed. [The members of the committee are Mr. Livingston, Mr. Jeter, Mr. Jackson, Ms. Dickerson and Mr. Pearce.]

RCRC Project Status Update to Council at April 21st Meeting – Mr. Pope stated that the a representative of the Recreation Commission will be invited to the April 21st meeting to give a status update on the \$50 million recreation bond projects.

Lawnmower Exchange – Mr. Pope stated that the lawnmower exchange will take place on April 18th from 9 a.m.-noon at the Colonial Life Arena.

Stormwater Update: Online Resources – Mr. Pope outlined the online resources on the County website for the public input on the Stormwater Ordinance and Yard Debris Ordinance.

FY10 Budget Update/Calendar – Mr. Pope stated that the budget process is underway and a reminder copy of the budget calendar was distributed to Council.

REPORT OF THE CLERK OF COUNCIL

Benedict Broadband Conference – Ms. Finch stated that the conference is scheduled for April 16th. The cost of the conference is \$75.00.

Sweet Potato Festival – Ms. Finch stated that the festival will be held on April 25th from 11 a.m-5 p.m. at Hopkins Park. The parade is scheduled to begin at 11 a.m.

“Sally the Salamander” Interactive Walking Tour – Ms. Finch stated that the walking tour will be held on April 21st at 10 a.m. at the Columbia Metropolitan Convention Center.

SCAC Forms – Ms. Finch requested that all SCAC forms be returned to her by the conclusion of the meeting.

REPORT OF THE CHAIRMAN

NHA Conference – Mr. Livingston stated that the conference was a huge success with approximately 2700 participants. Richland County was a sponsor of this event which included 400 students, 40 science teachers and 150 volunteers.

Stimulus Ad Hoc Committee – Mr. Livingston stated that the committee had met with the consultant and will continue to meet regularly to further discuss potential stimulus funding opportunities.

PUBLIC HEARING ITEMS

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

- **An Ordinance Amending the FY 2008-2009 Conservation Commission budget to appropriate ninety-two thousand five hundred fifty-eight dollars (\$92,558) to provide funding for operational expenses** – No one signed up to speak.
- **An Ordinance Amending the FY 2008-2009 Hopkins Utility System budget to appropriate thirteen thousand dollars (\$13,000) for operational costs through the end of the fiscal year** – No one signed up to speak.
- **An Ordinance Amending the FY 2008-2009 Richland County Industrial Park budget to increase the budget seventy-five thousand dollars (\$75,000)** – No one signed up to speak.
- **An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled “Personnel Regulations,” of Chapter 2 entitled “Administration”** – No one signed up to speak.

- **An Ordinance Amending the FY 2008-2009 budget to appropriate one hundred fifteen thousand dollars (\$115,000) for design and engineering expenses related to the runway rehabilitation project at Hamilton-Owens Airport – No one signed up to speak.**

The public hearings were closed.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Fiscal Year 2008-2009 Conservation Commission budget to appropriate ninety-two thousand five hundred fifty eight dollars (\$92,558) to provide funding for operational expenses [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2008-09 Hopkins Utility System budget to appropriate thirteen thousand dollars (\$13,000) for operational costs through the end of the fiscal year [THIRD READING]**
- **An Ordinance Amending the Fiscal Year 2008-2009 General Fund Annual Budget to appropriate one hundred fifteen thousand dollars (\$115,000) to the facilities and grounds Owens Field Budget to fund the initial cost associated with FAA Grant Award [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-180, Signs; so as to amend Subsection (E), Prohibited Signs, and to create a new subsection for the purpose of enforcement [SECOND READING]**
- **A Resolution requesting that the South Carolina General Assembly continue to support meaningful incentives for recyclers in recognition of the energy and environmental benefits of recycling to our county, the state, and the nation**
- **Request to approve the early renewal of a municipal solid waste contract with Waste Management, Inc.**
- **Request to consider a petition filed in circuit court to close a portion of Blaine Street and Dunston Street**
- **Request to approve a grant in the amount of \$28,000 from the South Carolina Competitive Grants Program to support the Gills Creek Watershed Restoration Project (No Personnel)**
- **A Resolution to allocate \$54,100.30 in Military Forest Funds**
- **A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (Lexington-Richland Alcohol and Drug Abuse Council, Inc. Project) Series 2009, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$4,500,000 [Request to authorize a public hearing on April 21, 2009.]**

- **Request to approve an intermediate contract with Lowcountry Billing Services**
- **A Resolution affirming Richland County's commitment to fair housing**

Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the consent items. The vote in favor was unanimous.

THIRD READING ITEMS

Request to approve a budget amendment to the Hospitality Tax Fund in the amount of \$40,000 to provide operating capital for the Township Auditorium – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

Mr. Malinowski moved to deny this item. The motion died for lack of a second.

The vote was in favor.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in general; Section 5 and Section 7 to authorize motor vehicle trade-ins as an allowable deduction; Section 16-19, Appeals; and Section 16-22, Penalties; so as to amend the appeals process and to allow the waiver of penalties in certain limited circumstances – Mr. Malinowski moved, seconded by Mr. Washington, to defer this item. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2008-2009 Industrial Park budget to increase the budget seventy-five thousand dollars (\$75,000) – Mr. Washington moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Yard Trash and other Household Articles – Ms. Smith moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

SECOND READING ITEM

An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled "Personnel Regulations," of Chapter 2, entitled "Administration" – Mr. Malinowski moved, seconded Ms. Smith, to defer this item. The vote in favor was unanimous.

FIRST READING ITEM

09-02MA, Lawrence Owen, RS-MD to OI (1 Acre), 06205-02-02, 1204 Piney Grove Road – Ms. Dickerson moved, seconded by Mr. Malinowski, to deny this re-zoning request. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Request to develop a working plan for establishing public-private partnerships for county projects and initiatives – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance consenting to an assignment to TRC Propco, Inc. of all rights and obligations of HOLO (SC) QRS 16-91, Inc. relative to all interests in real property and improvements, and all personal property, under a lease agreement, an inducement and millage rate agreement and a fee agreement with Richland County and approving related amendments and restatements of the terms and conditions of the existing lease agreement and fee agreement between HOLO (SC) QRS 16-91, Inc. and Richland County to reflect the assignment of such terms and conditions and approving the terms and conditions of a consent and subordination agreement to be entered into among TRC Propco, Inc., and its lender and Richland County and matters thereto related – Mr. Pearce moved, seconded by Mr. Jeter, 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. **Accommodations Tax Committee—2** – Mr. Malinowski stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- b. **Historic Columbia Foundation—1**—Mr. Malinowski stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- c. **Hospitality Tax Committee—1**—Mr. Malinowski stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

- d. **Internal Audit Committee—1**—Mr. Malinowski stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- e. **Employee Grievance—1**—Mr. Malinowski stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
- f. **Building Board of Adjustment and Appeal—1**—Mr. Malinowski stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous

II. NOTIFICATION OF APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- a. **Employee Grievance Committee—1** – Mr. Malinowski stated that the committee recommended re-appointing Ms. Nelda Smyrl. The vote in favor was unanimous.
- b. **Historic Columbia Foundation—1** – Mr. Malinowski stated that the committee recommended appoint Ms. Patricia D. Williams. The vote in favor was unanimous.
- c. **Hospitality Tax Committee—1** – Mr. Malinowski stated that there were no applications and recommending re-advertising for this vacancy. The vote in favor was unanimous.

III. Electronic Participation (Rule Clarification) – Mr. Malinowski stated that the committee recommended approval of this item. A discussion took place.

Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item to the April 21st meeting. The vote in favor was unanimous.

IV. Review Composition of County Committees, Boards and Commissions – The committee recommended holding this item in committee. The vote in favor was unanimous.

V. Council Individual Discretionary Accounts – The committee recommended holding this item in committee. The vote in favor was unanimous.

VI. Revised Application Form – The committee recommended holding this item in committee. The vote in favor was unanimous.

OTHER ITEMS

CDV Equipment Grant (\$2,250 match, no personnel) – Ms. Dickerson moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Rowing Club MOU – Mr. Malinowski moved, seconded by Mr. Manning, to approve this item. The vote in favor was unanimous.

CITIZENS' INPUT

Ms. Karen Yip and Ms. Donna Butler spoke regarding the weekend directional sign ordinance.

EXECUTIVE SESSION ITEMS

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Council went into Executive Session at approximately 7:24 p.m. and came out at approximately 8:32 p.m.
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- a. **CMRTA Intergovernmental Agreement** – Mr. Jeter moved, seconded by Ms. Smith, to direct staff to continue negotiations as directed in Executive Session.

Reconsideration of Third Reading of Mass Transit Ordinance – After Executive Session, the Third Reading of the Mass Transit Ordinance and the CMRTA Intergovernmental Agreement were deferred to the April 21st Council meeting.

MOTION PERIOD

Placement of Comprehensive Plan on April 21st Agenda – Mr. Jeter moved, seconded by Ms. Dickerson, to have the Chair appoint a Stimulus Ad Hoc Committee. The vote in favor was unanimous.

Guidelines for presentations by agencies receiving funding from the County during the budget process – Mr. Livingston referred this item to the Rules and Appointments Committee.

Composition of Discretionary Grant Committee – Mr. Jeter referred this item to the Rules and Appointments Committee.

ZETA State Conference Resolution – Mr. Jackson moved, seconded by Mr. Jeter, to adopt a resolution for the Zeta Phi Beta Organization. The vote in favor was unanimous.

Repairs to Hampton-Preston Mansion – Mr. Pearce referred this item to the A&F Committee.

Economic Development Strategic Plan – The Special Called Economic Development Committee meeting on April 21st from 4-5 p.m. and a Council work session immediately following from 5-6 p.m.

Any information necessary to have council act on a matter during a council meeting must be provided to council members no later than Friday at 5:00 p.m. If the information is not received by then the matter before council will automatically be postponed until the next regularly scheduled council meeting – Mr. Malinowski referred this item to the Rules and Appointments Committee.

Any special called meeting will only conduct business the meeting was specifically called for. No additional county business will be conducted at that meeting – Mr. Malinowski referred this item to the Rules and Appointments Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:38 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.

Kit Smith

Kelvin E. Washington, Sr.