



**MINUTES OF  
RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
JUNE 4, 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.
Member	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose
Member	Torrey Rush
Absent	Greg Pearce

**OTHERS PRESENT** – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Justine Jones, Amelia Linder, Melinda Edwards, John Hixon, Geo Price, Ismail Ozbek, Tracy Hegler, Kendra Dove, Jocelyn Jennings, Valeria Jackson, Nelson Lindsay, Dwight Hanna, Annie Caggiano, Pam Davis, Hayden Davis, David Hoops, Alonzo Smith, Michael Byrd, Michael King, 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 Damon Jeter

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Damon Jeter

## PRESENTATION OF RESOLUTIONS

**Resolution Honoring Ginny Waller as the 2013 recipient of the Francis Marion University and SC Association of Nonprofit Organizations' (SCANPO) Award [MANNING]** – Mr. Manning presented Ms. Waller with a resolution in honor of her receiving the Francis Marion University and SC Association of Nonprofit Organizations' (SCANPO) Award.

## APPROVAL OF MINUTES

**Regular Session: May 21, 2013** – Mr. Livingston moved, seconded by Mr. Manning, to approve minutes as published. The vote in favor was unanimous.

**Zoning Public Hearing: May 28, 2013** – Mr. Washington moved, seconded by Mr. Manning, to reconsider the portion of the minutes related to Case #13-10MA. The motion failed.

Ms. Dickerson moved, seconded by Mr. Livingston, to approve the minutes as published. The vote was in favor.

**Special Called Meeting: May 28, 2013** – Mr. Livingston moved, seconded by Mr. Jeter, to approve the minutes as published. The vote in favor was unanimous.

## ADOPTION OF THE AGENDA

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

## REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Farrar stated that the following were potential Executive Session Items:

- a. **Contractual Matter: Village at Sandhills**
- b. **Richland One Special Election Fee Update**

## CITIZENS INPUT

No one signed up to speak.

## REPORT OF THE COUNTY ADMINISTRATOR

- a. **Budget Update** – Mr. McDonald stated the work session and 2<sup>nd</sup> Reading of the H-Tax/A-Tax items are scheduled for June 13<sup>th</sup>.

### REPORT OF THE CLERK OF COUNCIL

- a. **Scheduling of Budget Wk. Sess. 2<sup>nd</sup> (H-Tax/A-Tax Items) and 3<sup>rd</sup> Reading of Budget [ACTION]** – Mr. Malinowski moved to hold the work session and 2<sup>nd</sup> Reading on June 12<sup>th</sup>. The vote in favor was unanimous.

### REPORT OF THE CHAIR

No report was given.

### OPEN/CLOSE PUBLIC HEARINGS

- a. **An Ordinance Authorizing the East Richland County Public Service Commission to incur not exceeding \$10,000,000 of General Obligation indebtedness and the levy of ad valorem property taxes in the East Richland County Public Service District to pay debt service thereon** – Mr. Scott Elliott spoke in favor of this item.
- 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** – Mr. Jeter moved, seconded by Mr. Malinowski, to defer this public hearing until the July 2<sup>nd</sup> Council meeting.
- c. **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. Jeter moved, seconded by Mr. Malinowski, to defer this public hearing until the July 2<sup>nd</sup> Council meeting.
- d. **Palmetto Health JEDA Bond Issuance** – No one signed up to speak.

### APPROVAL OF CONSENT ITEMS

- ❖ **An Ordinance Authorizing the East Richland County Public Service Commission to incur not exceeding \$10,000,000 of General Obligation indebtedness and the levy of ad valorem property taxes in the East Richland County Public Service District to pay debt service thereon [THIRD READING]**
- ❖ **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article I, Regulations Regarding County Owned or Leased Property; Section 17-2, Parking on County Office Property; Subsections (a) and (b); and Section 17-3, Sheriff's Deputies assigned as Security Officers to issue tickets; Subsection (a); so as to limit public parking to two hours and to delete the provisions for parking meters [SECOND READING]**

- ❖ **An Ordinance Authorizing a Deed to CW Hangar Partners, LLC, for approximately 2.29 acres of land, constituting a portion of Richland County TMS # 13702-09-01A [SECOND READING]**
- ❖ **An Ordinance Authorizing the Conversion of a Fee in Lieu of Tax Arrangement between Richland County, South Carolina and PCO Carolina Pines LP under Title 4, Chapter 12 of the Code of Laws of South Carolina, 1976, as amended, to an Arrangement under Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; consenting to the transfer of the Fee in Lieu of Tax Arrangement to Project Packaging and extension of the term thereto [SECOND READING]**
- ❖ **13-12MA, Wayne Huggins, RU to OI (1.79 Acres), 9711 Garners Ferry Road, 24700-01-07 [SECOND READING]**
- ❖ **13-14MA, Boyce Haigler, HI to GC (1.03 Acres), 1051 Market St., 11206-04-05 [SECOND READING]**
- ❖ **13-15MA, Gary Morris, M-1 to HI (33.5 Acres), 1091 Carolina Pines Dr., 17600-01-17 & 24 [SECOND READING]**
- ❖ **13-16MA, Ryan Slattery, Killian's Crossing, PDD to PDD Amendment (398.66 Acres), 17400-02-04, 12, 14 & 16 [SECOND READING]**
- ❖ **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements and Special Exceptions; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements listed by Zoning District; Paragraph (30), Dwellings, Single Family, Zero Lot Line, Common and Parallel; and Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; Paragraph (30) Dwellings, Single Family, Zero Lot Line, Common and Parallel; so as to remove certain permitted uses from the Office and Institutional Zoning District [SECOND READING]**
- ❖ **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection (b), Initiation of Proposals; Paragraph (2), Zoning Map Amendments; Subparagraph (b), Minimum Area of Zoning Map Amendment Application; so as to allow LI (Light Industrial) District Zoning contiguous to an existing Industrial District for a parcel with less than two (2) acres [SECOND READING]**

- ❖ **Close Businesses Operating Without Current Licenses**
- ❖ **Palmetto Health JEDA Bond Issuance**
- ❖ **FY13 Budget Amendment for Risk Management [FIRST READING]**

Mr. Manning moved, seconded by Ms. Dickerson, 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. Manning moved, seconded by Mr. Malinowski, to defer this item until the July 2<sup>nd</sup> Council meeting. The vote in favor was unanimous.

**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** – Mr. Manning moved, seconded by Mr. Malinowski, to defer this item until the July 2<sup>nd</sup> Council meeting. 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** – Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item until the June 18<sup>th</sup> Council meeting. The vote in favor was unanimous.

### SECOND READING

**Small Local Business Enterprise (“SLBE”) Program** – Mr. Rush moved, seconded by Mr. Malinowski, to defer this item until the July 2<sup>nd</sup> Council meeting.

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

The vote was in favor.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article II, Rules of Construction; Definitions; Section 26-22, Definitions;**

**and Amending Article VII, General Development, Site and Performance Standards; Section 26-186, Green Code Standards; so as to replace those standards with “Development with Open Space Design Standards” and amending Article X, Subdivision Regulations; Section 26-222, General Requirements; Subsection (g), Natural Resource Inventory; Paragraph (1); so as to delete the requirement of a desktop analysis** – Mr. Malinowski moved, seconded by Mr. Jackson, to defer this item until the July 16<sup>th</sup> Council meeting. The vote in favor was unanimous.

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

The vote was in favor.

#### **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

**Use of Eminent Domain to Acquire Property for Completion of Monticello Road Streetscape Construction** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

**Detention Center Security Control Updates** – Ms. Dickerson moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

**Detention Center Fire Control Updates** – Ms. Dickerson moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

**Volunteer Fire Operations Insurance** – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

**Emergency Back-Up Generator Replacement** – Ms. Dickerson moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

#### **Richland County Public Library Bonds:**

- a. **An Ordinance Providing for the issuance and sale of General Obligation Bonds 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 [FIRST READING]** – Ms. Dickerson stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

- b. A Resolution Declaring the Intention of Richland County, South Carolina to reimburse itself for certain expenditures with the proceeds of debt to be issued by the issuer** – Ms. Dickerson stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

- c. A Resolution Ordering a Bond Referendum to be held in Richland County, South Carolina, on the question of the issuance of not exceeding \$59,321,900 of General Obligation Bonds of Richland County, South Carolina; providing for the form of the ballot to be used; providing for notice of the referendum; and providing for other matters relating thereto** – Ms. Dickerson stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

**Emergency Services Contract for Property Purchase** – Mr. Manning moved, seconded by Mr. Jackson, to defer this item until after Executive Session. The vote in favor was unanimous.

#### REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**Inducement Resolution for Project Packaging** – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

#### OTHER ITEMS

**Report of the Dirt Road Committee:** *{This portion of the minutes was reconsidered at the June 18<sup>th</sup> Council meeting}*

- a. Recommended Plan for Paving Dirt Roads** – Ms. Dixon stated that the committee recommended approval of the 27 of 50 roads for low-volume paving road projects. The vote in favor was unanimous.
- b. Emergency Maintenance of Roads [FIRST READING]** – Ms. Dixon stated that the committee recommended approval of this item. The vote in favor was unanimous.

#### CITIZENS' INPUT

No one signed up to speak.

## EXECUTIVE SESSION

=====  
**Council went into Executive Session at approximately 6:54 p.m. and came out at approximately 7:39 p.m.**  
=====

- a. **Contractual Matter: Village at Sandhills** – No action was taken.
- b. **Richland One Special Election Fee Update** – No action was taken.
- c. **Emergency Services Contract for Property Purchase** – No action was taken.

## MOTION PERIOD

- a. **Staff will provide Council with the Budget processes' preliminary motions list 24 hours prior to the deadline for item submission and final list within 48 hours following the submission deadline [MANNING]** – This item was referred to the A&F Committee.
- b. **All applicants for Richland County Boards, Commissions or Committees will be telephonically notified within 48 hours of council's decision relating to that appointment and a follow-up letter will be mailed within 5 work days to same [MALINOWSKI]** – This item was referred to the Rules & Appointments Committee.
- c. **Resolution in honor of Waverly Neighborhood's 100<sup>th</sup> Anniversary [ROSE]** – Mr. Malinowski moved, seconded by Mr. Jackson, to approve the resolution honoring the Waverly Neighborhood's 100<sup>th</sup> Anniversary. The vote in favor was unanimous.  
  
Mr. Jackson moved, seconded by Mr. Malinowski, to reconsider this item. The motion failed.
- d. **Explore the possibility of vendors paying a fee or a percentage of their vendor's fee at tourists sponsored events for tourists-related activities. Vendors at these events are not collecting the H-Tax Business License Office has no way of monitoring or collecting these taxes [JACKSON]** – This item was referred to the A&F Committee.

---

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