



**MINUTES OF  
RICHLAND COUNTY COUNCIL  
REGULAR SESSION  
SEPTEMBER 17, 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	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Torrey Rush
Absent	Seth Rose

**OTHERS PRESENT** – Tony McDonald, Roxanne Ancheta, Sparty Hammett, Warren Harley, Brad Farrar, Amelia Linder, Tracy Hegler, Sara Salley, Quinton Epps, Buddy Atkins, John Hixon, Geo Price, Dale Welch, Beverly Harris, Justine Jones, Rob Perry, Daniel Driggers, Randy Cherry, Ray Peterson, Janet Claggett, Brandon Madden, Rodolfo Callwood, Monique Walters, Michelle Onley

**CALL TO ORDER**

The meeting was called to order at approximately 6:03 p.m.

**INVOCATION**

The Invocation was given by the Honorable Greg Pearce

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the Honorable Greg Pearce

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce stated that Councilman Rose was not present tonight because he was spending time with his wife and new son, Luke.

#### **APPROVAL OF MINUTES**

**Regular Session: September 10, 2013** – Mr. Pearce moved, seconded by Mr. Malinowski, to reconsider the portion of the minutes regarding the “Mitigation Bank Update”. The vote in favor was unanimous.

Mr. Jackson moved, seconded by Ms. Dickerson, to approve the minutes with the exception of the “Mitigation Bank Update” item. The vote in favor was unanimous.

#### **ADOPTION OF THE AGENDA**

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

#### **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

- a. **Columbia Venture**
- b. **Northwest Sewer Litigation Update** – This item was deferred.
- c. **Fire Ad Hoc Committee**
- d. **Mitigation Bank Update**

#### **CITIZENS INPUT**

No one signed up to speak.

#### **REPORT OF THE COUNTY ADMINISTRATOR**

- a. **Neighborhood Planning Conference** – Ms. Hegler gave a brief presentation regarding the upcoming Neighborhood Planning Conference. The conference is scheduled for October 12<sup>th</sup>, 8:00 a.m.-2:30 p.m. at the Columbia Metropolitan Convention Center.
- b. **Strategic Plan Update** – Mr. McDonald stated that staff is exploring the possibility of revamping the Strategic Plan and bringing back to Council. The “revamped” Strategic Plan will be brought back at a future A&F Committee meeting.
- c. **Introduction of New Employee** – Mr. McDonald re-introduced, to Council, Mr. Randy Cherry as the new Business Liaison.

### REPORT OF THE CLERK OF COUNCIL

- a. **Council Individual Photos, October 1<sup>st</sup>, 3:00-5:00 PM, 4<sup>th</sup> Floor Conference Room** – Ms. Onley stated that the photographer will be here on October 1<sup>st</sup>, 3:00-5:00 PM, 4<sup>th</sup> Floor Conference Room. Those Council members that would like to have their photo taken should contact the Clerk of Council's Office.
- b. **Renaissance Foundation's 2<sup>nd</sup> Annual Gospel Heritage Festival Awards: featuring Rev. Shirley Caesar, September 22<sup>nd</sup>, 6:00 PM, Koger Center** – Ms. Onley stated that the Renaissance Foundation's 2<sup>nd</sup> Annual Gospel Heritage Festival Awards will be held September 22<sup>nd</sup>, 6:00 PM at the Koger Center. The featured performer will be Rev. Shirley Caesar.

### REPORT OF THE CHAIR

- a. **Sewer System Ad Hoc Committee** – Mr. Washington stated he will be developing a Sewer System Ad Hoc Committee.
- b. **Transportation Ad Hoc Committee** – Mr. Washington stated that the Transportation Ad Hoc Committee will be meeting to take up those items deferred from the Transportation Penny RFP Work Session.

### PRESENTATION

**ConnectSC, Heather Jones** – Ms. Jones gave a brief overview of the ConnectSC program.

### OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Authorizing the Issuance and Sale of not to exceed \$17,200,000 General Obligation Bonds, Series 2013B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Delegating to the County Administrator certain authority related to the bonds; Providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto** – No one signed up to speak.

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce recognized that there was a Boy Scout in the audience working on his Government Merit badge.

**POINT OF PERSONAL PRIVILEGE** – Mr. Washington recognized that two of his professors, Dr. Whitney and Clarence Hill, were in the audience.

### APPROVAL OF CONSENT ITEMS

- **13-19MA, Will Holmes, RS-MD to OI (15.26 Acres), 2312 Clemson Rd., 20200-01-30 [THIRD READING]**

- **13-25MA, Mukesh Thakkar, RU to RC (1.76 Acres), 10447 & 10453 Wilson Blvd., 15000-02-09 [SECOND READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; so as to Adopt and Codify the 2011 Edition of the International Electrical Code and the 2012 Editions of the International Residential Code, International Building Code, International Fire Code, International Fuel/Gas Code, International Mechanical Code, International Plumbing Code, and International Property Maintenance Code [SECOND READING]**
- **Authorizing and Providing for the creation of the Lower Richland Sewer System and for the issuance of Lower Richland Sewer System Improvement Revenue Bonds for Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to the new revenues derived from the operation of the Sewer System and pledging the revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing [SECOND READING]**
- **Authorizing and Providing for the Issuance of a Sewer System Improvement Revenue Bond Anticipation Note, Series 2013 (Lower Richland Sewer System Project Phase I), or such other appropriate series designation of Richland County, South Carolina, in an amount not to exceed \$9,359,000; Authorizing the County Administrator to determine certain matters relating to the Note; Providing for form and details of the Note; Providing of the payment of the Note; Providing for the disposition of the proceeds thereof; and other matters relating thereto [SECOND READING]**

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

### THIRD READING

**13-17MA, Steven Mungo/Gerald Steele, RU to RS-LD (58.7 Acres), 1842 Kennerly Rd., 20200-04-07 & 08** – Mr. Malinowski moved, seconded by Mr. Jackson, to defer this item indefinitely. The vote in favor was unanimous.

**An Ordinance Authorizing the Issuance and Sale of not to exceed \$17,200,000 General Obligation Bonds, Series 2013B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; Delegating to the County Administrator certain authority related to the bonds; Providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto** – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item with the following amendment: “The bonds are for the costs of defraying capital project, which shall be

specifically approved by County Council before the expenditure of any bond proceeds." A discussion took place.

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

The vote in favor of the amended ordinance was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; by adding a new division entitled 7, Small Local Business Enterprise Procurement Requirements; and Amending Chapter 2, Administration; Article XI, Inquiries and Investigations; so as to renumber the paragraphs therein** – Mr. Livingston moved, seconded by Mr. Jeter, to approve this item as submitted. A discussion took place.

Mr. Rush made a substitute motion, seconded by Mr. Jackson, to amend Section 2-641(a)(2)(a) to lower the amount for Construction to \$7 million, and to amend Section 2-641(a)(2)(b) to lower the amount for Architectural to \$3 million. A discussion took place.

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

The vote was in favor of the substitute motion.

**Proposed Amended Scope of Work for Administration of Richland County's SLBE Program** – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

## SECOND READING ITEMS

**An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article X, Property Maintenance; so as to codify property maintenance regulations** – Ms. Dickerson moved, seconded by Mr. Malinowski, to approve this item and Mr. Malinowski is to forward his questions to staff prior to Third Reading. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2013-2014 Hospitality Tax Budget to appropriate \$517,000 of Hospitality Tax Unassigned Fund Balance for feasibility studies (\$420,000), Olive Branch Network (\$50,000), and Capital City Classic (\$47,000)** – Mr. Livingston moved, seconded by Mr. Pearce, to appropriate up to \$420,000 to fund the feasibility studies. The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Mr. Rush, to reconsider this item. The motion failed.

Mr. Rose moved, seconded by Ms. Dickerson, to appropriate \$50,000 for the Olive Branch Network. The vote was in favor.

Mr. Rush moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

Ms. Dickerson moved, seconded by Ms. Dixon, to appropriate \$60,000 to fund the Capital City Classic. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Mr. Malinowski, to appropriate \$47,000 to fund the Capital City Classic. A discussion took place.

The vote was in favor of the substitute motion.

**An Ordinance Authorizing an Easement to School District 5 of Lexington and Richland Counties for a Sanitary Sewer Line across land owned by Richland County; specifically a portion of TMS # 03300-01-06** – Mr. Malinowski moved, seconded by Mr. Manning, to defer this item. The vote in favor was unanimous.

**An Ordinance Amending the Fiscal Year 2013-2014 General Fund Budget to Add Six School Resource Officer Positions for Sheriff's SRO – SRO School District 5** – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item contingent upon receiving the cost data prior to finalizing and that the burden will be paid 100% by the School District. The vote in favor was unanimous.

#### **REPORT OF DEVELOPMENT AND SERVICES COMMITTEE**

**Exploration of Water and/or Sewer Service Expansion in Unincorporated Richland County** – Mr. Malinowski moved, seconded by Mr. Jackson, to approve the language contained in the July 23, 2013 draft D&S Committee minutes pertaining to this item. The vote in favor was unanimous.

#### **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

**Resolution Approving the 2013 Assessment Roll for the Village at Sandhill Improvement District** – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

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

Mr. Malinowski moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote in favor was unanimous.

## REPORT OF RULES AND APPOINTMENTS COMMITTEE

### I. NOTIFICATION OF APPOINTMENTS

- a. **East Richland Public Service Commission—1** – Mr. Malinowski stated that the committee recommended re-appointing Ms. Phyllis Beighley. The vote in favor was unanimous.
- b. **Hospitality Tax Committee—2** – Mr. Malinowski stated that the committee recommended appointing Ms. Shanelle Baker and Mr. Robert A. Swanson. The vote in favor was unanimous.
- c. **Midlands Workforce Development Board—8** – Mr. Malinowski stated that the committee recommended appointing Mr. Derek Burrell, Mr. Larry Cooke, Ms. Wanda Herron, Mr. Harry Plexico and Mr. Michael Ray for the Private Sector positions; Mr. Terry D. Blair to the DSS Representative position; Ms. Aretha Barnes to the Job Corps Representative position and Mr. Joseph Rice, Jr. to the Youth Program Representative position. The vote in favor was unanimous.

### II. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Amended agenda pages will be given a page/letter designation and only those pages will be Xeroxed for distribution. Example: If page 105 has a change for some reason the amended page will be assigned page 105a. This will eliminate the necessity of Xeroxing hundreds of additional pages of new agendas as well as eliminate the need for Council members to change all of their notations on pages already reviewed [MALINOWSKI]** – This item was held in committee.
- b. **Request that the SCAC post the Rules, Regulations, and Bylaws on the SCAC website and that each County and/or County Chair should have the opportunity to make a recommendation to the board regarding their representative when vacancies become available and that the representative should be term limited [DICKERSON]** – Mr. Malinowski stated that the committee requested the following information: (1) What is the benefit of belonging to the SCAC? (2) What is the process in being selected to the SCAC Board?

### OTHER ITEMS

#### Report of the Hospitality Tax Review Committee:

- a. **Move that Council appropriate an amount no less than \$100,000 of the Hospitality Tax Non-Recurring funds portion of the Hospitality Tax budget for EdVenture. The final amount to be determined following Council debate on the matter** – Mr. Manning stated that the committee recommended appropriate \$100,000 of Hospitality

Tax non-recurring funds for the Next Generation program. The vote in favor was unanimous.

- b. **Review of the May 13, 2013 Hospitality Tax Committee Memo** – No action was taken.
- c. **Review of the Current Hospitality Tax Guidelines** – Mr. Manning stated that the committee recommended revising the Hospitality Tax Guidelines to include specifically that: Hospitality Tax funds can be used for operation and maintenance of tourism related buildings including, but not limited to, civic centers, coliseums and aquarium; and tourism related cultural, recreational or historical facilities. A discussion took place.

Mr. Livingston made a substitute motion, seconded by Ms. Dickerson, to refer this item back to committee.

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

The vote was in favor of the substitute motion.

- d. **Development of Criteria to Measure Accountability for Oversight Purposes** – Mr. Manning stated that the committee tabled this item.
- e. **Adding New Ordinance Agencies** – This item was deferred in committee.
  - 1. Township
  - 2. Renaissance Foundation
- f. **Create a New Funding Category under Community Promotions to be titled “Special County Promotions”.** Place organizations that annually receive additional funding through the motions process out of the competitive cycle since Council is providing additional funding for these organizations would receive base funding each year at the previous FY level with any funding increases based on CPI. The following organizations will be placed: Olive Branch Network of South Carolina, South East Rural Community Outreach (SERCO) – This item was deferred in committee.
- g. **Feasibility Studies** – No action was taken.

#### CITIZENS’ INPUT

No one signed up to speak.

## EXECUTIVE SESSION

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**Council went into Executive Session at approximately 8:00 p.m. and came out at approximately 8:25 p.m.**  
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- a. **Columbia Venture** – Mr. Pearce moved, seconded by Mr. Livingston, to direct the County Attorney to proceed as directed in Executive Session. The vote was in favor.
- b. **Fire Ad Hoc Committee** – No action was taken.
- c. **Mitigation Bank Update** – Mr. Pearce moved, seconded by Mr. Livingston, to strike from the September 10<sup>th</sup> meeting minutes under Executive Session: “Mitigation Bank Update” the phrase “and if necessary file an Administrative Appeal of the 404 Permit and 401 Water Quality Certification.” The vote was in favor.

## MOTION PERIOD

- a. **I move that Council give unanimous consent to a Resolution to support participation in the Connected Community Engagement Program [DICKERSON]** – Ms. Dickerson moved, seconded by Mr. Manning, to adopt the attached resolution. A discussion took place.

The vote in favor was unanimous.

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

- b. **To put a hold on all spending for hospitality ordinance agencies until we get an understanding of how money will be spent in unincorporated areas [RUSH]** – This item was referred to the A&F Committee.
- c. **To look at hospitality ordinance agencies adopting county procurement guidelines for spent dollars [RUSH]** – This item was referred to the A&F Committee.
- d. **To stop the hospitality sales tax program and the collection of that sales tax [RUSH]** – This item was referred to the A&F Committee.
- e. **Business Center and Planning Department to create a detailed step by step process for applicants [DIXON]** – This item was referred to the D&S Committee.
- f. **Resolution honoring USC Girls Basketball Coach Dawn Staley on her induction into the Naismith Memorial Basketball Hall of Fame [LIVINGSTON]** – Mr. Livingston moved, seconded by Mr. Jackson, to adopt a resolution honoring Coach Dawn Staley on

her induction into the Naismith Memorial Basketball Hall of Fame. The vote in favor was unanimous.

### ADJOURNMENT

The meeting adjourned at approximately 8:32 p.m.

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Kelvin E. Washington, Sr., Chair

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L. Gregory Pearce, Jr., Vice-Chair

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Joyce Dickerson

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Julie-Ann Dixon

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Norman Jackson

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Damon Jeter

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Paul Livingston

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Bill Malinowski

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Jim Manning

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Seth Rose

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Torrey Rush

The minutes were transcribed by Michelle M. Onley