

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, JULY 27, 2010 Immediately Following ZPH

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
Member	Joyce Dickerson
Member	Gwendolyn Davis Kennedy
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington
Absent	Damon Jeter
	Jim Manning

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Sara Salley, Andy Metts, Valeria Jackson, Rodolfo Callwood, David Hoops, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 9:05 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.

APPROVAL OF MINUTES

Regular Session: July 20, 2010 – Ms. Hutchinson moved, seconded by Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Smith stated that he had an information sheet to distribute to Council regarding the upcoming referendum.

The agenda was unanimously adopted as amended.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Smith distributed a “Dos and Don’ts” regarding the upcoming referendum.

CITIZENS’ INPUT

Mr. Hardy King and Mr. Carl Ingram spoke regarding Sease Road.

REPORT OF THE COUNTY ADMINISTRATOR

Lower Richland Sewer Update – Mr. Pope stated staff received a response from Palmetto Utilities. Staff was directed by Council to meet with Palmetto Utilities to gather additional information: County’s obligations, liability, governance, etc.), and forward this item to the September 7, 2010 Economic Development Committee Meeting.

REPORT OF THE CLERK OF COUNCIL

Legacy Retreat – Ms. Walters stated that the Legacy Retreat will be held September 10, 12:00-5:00 p.m. at LRADAC.

REPORT OF THE CHAIRMAN

No report was given.

PRESENTATION

Midlands Authority for Convention Sports and Tourism: Kelly Barbrey, Vice President – Ms. Barbrey presented Council with shirts recognizing the 2nd Anniversary of the “Famously Hot” Branding.

THIRD READING

An Ordinance Authorizing and Providing for the creation of the Hopkins Waterworks System and for the issuance of Hopkins Waterworks System Improvement Revenue Bond of Richland County, South Carolina; prescribing the form of bonds; limiting the payment of the bonds solely to net revenues derived from the operation of the Waterworks 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 – Mr. Washington moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Malinowski, to reconsider this item. The motion for reconsideration failed.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Ensure that any negotiations with the Fire Departments, City and County, make it a priority to keep ISO ratings and is in the best interest of the citizens and Firefighter Safety – Mr. Jackson stated that this item was received as information. The vote in favor was unanimous.

Paving Overlook Drive – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item pending information being received from CTC regarding the repayment from the road improvement fund. A discussion took place.

Mr. Washington made a substitute motion, to have staff look at the existing paving contract and shift it around. The motion died for lack of a second.

<u>For</u>	<u>Against</u>
Malinowski	Pearce
Jackson	Hutchinson
Livingston	Washington
Dickerson	Smith
Kennedy	

The motion failed.

Construction Services for Lake Cary Water Quality Capital Improvements Project – Mr. Jackson stated that the committee recommended approval of this item. The vote in favor was unanimous.

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

Construction Services for Lake Elizabeth Phase III Cumbess Creek Water Quality Capital Improvements – Mr. Jackson stated that the committee recommended approval of this item. The vote in favor was unanimous.

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

Through Trucks prohibited on N. Donar Drive and Prima Drive – Mr. Jackson stated that the committee recommended approval of this item. A discussion took place.

The vote in favor was unanimous.

Arcadia Lakes Floodplain Management Services Agreement – Mr. Jackson stated that the committee recommended deferral of this item until the September D&S Committee meeting. The vote in favor was unanimous.

Direct Staff to Review the Floodplain Ordinance to Ensure that there are appropriate enforcement mechanisms to ensure compliance – Mr. Jackson stated that the committee recommended tabling this item. The vote in favor was unanimous.

Sease Road – Mr. Jackson stated that the committee recommended returning Sease Road to its previous position of #71 on the paving priority list and table the request. A discussion took place.

The vote was in favor.

Farmers' Market – Mr. Jackson stated that the committee recommended that staff meet with the South Carolina Research Authority and bring back an update at the September D&S Committee meeting. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Caughman Creek Appraisal – Ms. Dickerson stated that the committee had received this item as information. The vote in favor was unanimous.

Hospitality Tax Ordinance Amendments: Oversight and Accountability – Ms. Smith moved, seconded by Ms. Dickerson, to give First Reading approval to this item and circulate the revisions to the affected organizations for feedback.

Property Insurance and Fire Operations Liability and Property Insurance-Risk Management – Ms. Dickerson stated that the committee recommended approval of this item. The vote in favor was unanimous.

Improve Accountability for Richland County Grantees – Mr. Jackson moved, seconded by Mr. Malinowski, to approve this item. The vote in favor was unanimous.

Coroner: Request for approval to renew contract with Professional Pathology Services – Mr. Washington moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Tourism Development Fee Ordinance Amendment – Ms. Dickerson stated that the committee recommended tabling this item. The vote in favor was unanimous.

Establish an Ad-Hoc Committee to work with the City of Columbia to make a recommendation on an ordinance to restrict operating hours of establishment that serve alcohol – Ms. Smith moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

Women and Minority Owned Disadvantaged Business Program – Ms. Dickerson stated that the committee recommended forwarding this item to the Economic Development Committee. The vote in favor was unanimous.

OTHER ITEMS

A Resolution to appoint and commission Leroy Cain as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Community Development Annual Action Plan – Mr. Jackson moved, seconded by Ms. Smith, to approve this item. The vote in favor was unanimous.

Report of the Transportation Ad Hoc Committee:

- a. **Intergovernmental Agreement with SCDOT** – Ms. Dickerson stated the committee recommended directing the Administrator to develop an Intergovernmental Agreement (IGA) with the SCDOT regarding project management of certain transportation sales tax projects. The proposed IGA will be brought back to Council for final approval. A discussion took place.

The vote was in favor.

- b. **Transportation Sales Tax: Consultant and Educational Campaign Budget Amendment** – Ms. Dickerson stated the committee recommended giving First Reading approval by title only to this item. A discussion took place.

The vote was in favor. ***[This portion of the minutes was reconsidered at the September 7th Council meeting.]***

CITIZEN'S INPUT

No one signed up to speak.

MOTION PERIOD

Qualified Energy Conservation Bonds – Ms. Kennedy moved, seconded by Ms. Hutchinson, to authorize the Administrator, in conjunction with the Chair and Vice Chair, to determine appropriate projects, if any, for Qualified Energy Conservation Bonds. The vote in favor was unanimous.

The motion for reconsideration failed.

Discharge of Firearms [Malinowski] – To change Section 18-1 to eliminate the underlined and italicized wording shown below:

Section 18.1. Discharge of firearms in certain areas unlawful.

- (b) *Within three hundred yards of the property boundaries of any dwelling business, or subdivision. It shall be unlawful for any person in the unincorporated area of the county to discharge any rifle, gun, pistol, revolver, or other similar instrument from or by means of which any bullet, shot, or other missile of any kind may be projected within three hundred (300) yards of any building used as a dwelling or business, or within the boundaries of any subdivision or within three hundred (300) yards of any subdivision, as that term is defined in Sec. 26-22 of this Code. This subsection shall not apply to a peace officer or member of the armed forces of the United States or any authorized gun club, or in the lawful defense of life or property. This subsection also shall not apply to hunting or other lawful use of firearms by persons while upon their own property, nor shall this subsection apply to persons hunting or otherwise lawfully discharging firearms on another person's property with the landowner's express permission.*

This item was forwarded to the Rules and Appointments Committee.

Special Called Meetings / Motions – This item was forwarded to the Rules and Appointments Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:29 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.

The minutes were transcribed by Michelle M. Onley