

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

REGULAR SESSION MINUTES

February 17, 2015
6:00 PM
County Council Chambers

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

CALL TO ORDER

Mr. Rush called the meeting to order at approximately 6:01 PM

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 – Ms. Dickerson thanked her colleagues for wearing red in honor of “Heart Health”.

POINT OF PERSONAL PRIVILEGE – Mr. Rush recognized the Richland School District Two Board members in the audience.

PRESENTATION OF RESOLUTION

Resolution Honoring Leroy York from Richland School District Two for being awarded Counselor of the Year by the Palmetto State School Counselor Association [DIXON]

– Ms. Dixon presented a resolution honoring Mr. York for being awarded Counselor of the Year by the Palmetto State School Counselor Association.

APPROVAL OF MINUTES

Regular Session: February 10, 2015 – Ms. Dickerson moved, seconded by Mr. Manning, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

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



Council Members Present

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

Others Present:

Tony McDonald
Sparty Hammett
Warren Harley
Monique Walters
Brandon Madden
Michelle Onley
Monique McDaniels
Quinton Epps
Larry Smith
Nelson Lindsay
Laura Renwick
Tracy Hegler
Beverly Harris
Amelia Linder
Chad Fosnight
Ismail Ozbek

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REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated that the following item was a potential Executive Session Item:

- a. **Contractual Matter – Waterpark Lease and Operating Agreement**

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

No report was given.

REPORT OF THE CLERK OF COUNCIL

- a. **SCAC Mid-Year Conference and Legislative Reception** – Ms. McDaniels reminded Council of the SCAC Mid-Year Conference on Wednesday, February 18th and Thursday, February 19th and the Legislative Reception on Wednesday, February 18th.

REPORT OF THE CHAIRMAN

- a. **Local Government Fund (LGF): Next Steps** – Mr. Rush stated he attended the Legislative Sub-Committee meeting this morning regarding the Local Government Fund. The next steps will be to meet with Lexington County to prepare a joint communication to the Legislative Delegation and House.

PRESENTATION

DESA, Inc. – Ms. Teowonna Clifton presented a final report of the SB Connect Business Seminar hosted by DESA, Inc.

APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Fiscal Year 2014-2015 Public Works Annual Budget to appropriate Two Million Eight Hundred Seventy-Four Thousand Four Hundred Fifty Dollars (\$2,874,450.00) from their Stormwater Fund to purchase the Cabin Branch (Hopkins) Tract Property [THIRD READING]** – Mr. Washington moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.

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- **An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$839,350 of General Fund Restricted Fund Balance for Economic Development Projects [SECOND READING]**

Mr. Pearce moved, seconded by Mr. Malinowski, to approve the consent items. The vote in favor was unanimous.

THIRD READING

14-38MA, George Goff, HI to GC (15.39 Acres), 1117 & 1105 Sparkleberry Lane Ext., 22909-04-01 & 22905-06-10 – Ms. Dixon moved, seconded by Mr. Malinowski, to defer this item for 2 months. The vote in favor was unanimous.

14-39MA, Tobias Ward, RS-LD to PDD (3.92 Acres), 1335 Elm Abode Terr., 07308-05-02/03/08 – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

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

SECOND READING

An Ordinance Updating the 2009 Comprehensive Plan through the adoption of a new plan for the County of Richland, pursuant to the State of South Carolina Comprehensive Planning Enabling Act of 1994 – Mr. Malinowski moved, seconded by Ms. Dixon, to defer this item until the March 3rd Council meeting. The vote in favor was unanimous.

An Ordinance authorizing an easement to City of Columbia, South Carolina for a sanitary sewer line across land owned by Richland County; specifically a portion of TMS # 14900-01-02; and authorizing an easement to the City of Columbia, South Carolina of a water main across land owned by Richland County; specifically a portion of TMS # 14900-01-02 – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Richland County and a company known to the County at this time as "Project Giant" (the "Company"); the execution and delivery of an infrastructure finance agreement by and between Richland County and the Company; the execution and delivery of a land conveyance agreement by and between Richland County and the Company for the conveyance of real property of

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approximately 197 acres in the I-77 Corridor Regional Industrial Park to the Company; the execution and delivery of such documents as may be necessary to effect the intent of this ordinance; and other matters related thereto [FIRST READING BY TITLE ONLY] – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

An Ordinance authorizing a lease to Richland County Family Entertainment, LLC, of 20± acres of land located on a portion of TMS # 17300-02-33, including all improvements which may be constructed thereon, for the operation of a water and adventure park [FIRST READING] – Mr. Livingston stated the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. **Board Terms** – Mr. Malinowski stated this item was held in committee to obtain additional information regarding the ordinance and legal input.
- b. **Citizens Input/Public Hearing Language** – Mr. Malinowski stated this item was held in committee in order to review a form used by other entities for citizens input and to determine its viability for use for Richland County.
- c. **Voting** – Mr. Malinowski stated this item was held in committee to obtain information on electronic voting vs. verbal roll call voting.
- d. **Richland County Departmental Policies** – Mr. Malinowski stated this item will be brought back in April.
- e. **Council Rules** – Mr. Malinowski stated this item was moved to an item for action at a future Rules and Appointments Committee meeting.

OTHER ITEMS

A Resolution to appoint and commission Allen Keith Benton as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

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Amended 2015 Council Retreat Directives

- a. **Financial Operations: Directive for DSS Facility** – Mr. Livingston moved, seconded by Mr. Manning, to direct the Administrator to work with the Midlands Healthcare Collaborative to fulfill their request for space in the County's public health building. The vote in favor was unanimous.
- b. **OSBO: Directive for the Quick Pay Program** – A meeting is to be scheduled with the Administration, Legal, Procurement Department, Finance Department and Transportation Department to further explore and discuss the Quick Pay Program, along with other alternatives, to best implement a program to pay the subs in a timely fashion.
- c. **Council Rules: Directives for the Council Rules** – Mr. Manning stated that staff did an excellent job of capturing the explanation(s) of the items in the revisions.

Mr. Manning moved, seconded by Mr. Livingston, to adopt the amended Council Retreat Directives. The vote in favor was unanimous.

FY15-16 Budget Calendar – Mr. Manning moved, seconded by Mr. Malinowski, to adopt the budget calendar. The vote was in favor.

CITIZENS' INPUT

No one signed up to speak.

EXECUTIVE SESSION

*Council went into Executive Session at approximately 6:33 p.m.
and came out at approximately 6:50 p.m.*

- a. **Contractual Matter – Waterpark Lease and Operating Agreement** – Mr. Washington moved, seconded by Mr. Livingston, to proceed as discussed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

- a. **Move that the Clerk to Council investigate and bring back a report to Council prior to first reading of the FY15-16 budget providing detailed information on the feasibility of County Council implementing electronic voting. The report should include information on alternative forms of electronic voting as well as the cost of initiating**

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and maintaining the voting equipment [PEARCE, JETER AND MALINOWSKI] – Mr. Rush referred this item to the A&F Committee.

- b. Move that Council directs the Chair, Vice Chair, County Administrator, County CFO, and Chair of the Budget Committee to draft a letter to be sent to every member of the Richland County Legislative Delegation advising them of the findings of the latest Richland County Consolidated Annual Financial Report (CAFR) that confirms that Richland County is currently below its self-imposed minimum cash reserves (fund balance). Based on these findings, Richland County will be unable to continue the practice of balancing the County budget by drawing from its fund balance [PEARCE]** – Mr. Washington moved, seconded by Mr. Pearce, to draft the requested letter. The vote in favor was unanimous.

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

- c. Re-activate the Richland County Youth Commission. The Youth Commission has been inactive since 1998 and there are currently no existing or active members. This Commission identifies youth-related problems or potential problems; implement programs to increase the awareness of the general population and elect officials of the needs and problems facing youth and their families; and they seek and administer federal, state and private funding for commission operations and for projects proposed by the commission pursuant to the powers enumerated herein [ROSE]** – Mr. Rush referred this item to the Rules & Appointments Committee.
- d. Richland County Government also review the election of the Chair's rule which states that the chair should be elected yearly with two-thirds of its members. In conjunction with Councilmen Jackson and Manning previous motions to have meaningful representation that the citizens have the opportunity to elect the chair like the citizens in Horry County. This will remove the responsibility of council members. If the Legislative Delegation would support the election of the chair by the citizens. Our current process is apparently flawed and personal; therefore, the people of Richland County deserve to have an adequate transparent representation [DICKERSON]** – Mr. Rush referred this item to the Rules & Appointments Committee.
- e. Richland County to perform a full audit of the Fire contract with the City of Columbia [WASHINGTON]** – Mr. Rush referred this item to the A&F Committee.

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- f. Fund Wateree Community Actions Inc. at \$225,000, so that critical services that are provided to Richland County Citizens will not be interrupted [WASHINGTON] – Mr. Rush referred this item to the A&F Committee.**
- g. Property owners should not be charged for a service they do not use or receive. Garbage services, except for commercial services, rental, etc. If there is proof of non-use then that property owner should not be charged [JACKSON] – Mr. Rush referred this item to the D&S Committee.**

ADJOURNMENT

The meeting adjourned at approximately 6:56 PM.

Torrey Rush, Chair

Greg Pearce, Vice-Chair

Joyce Dickerson

Julie-Ann Dixon

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Seth Rose

Kelvin E. Washington, Sr.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council