

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 20, 2007 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	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

ITHERS PRESENT - Michielle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Stephany Snowden, Joe Cronin, Brad Farrar, Amelia Linder, Anna Almeida, Jennie Sherry-Linder, Audrey Shifflett, Teresa Smith, Andy Metts, Chief Harrell, Rodolfo Callwood, Sandra Hayes, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:07 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

Richland Memorial Hospital Annual Report—Board of Trustees – Ms. Ann Washington Pringle, Chair of the Richland Memorial Hospital Board of Trustees, presented the annual report to Council. She recognized Mr. Vince Ford, Ms. Judy C. Smith and Ms. Beebe Adams were in attendance.

Mr. Chuck Beaman, President and CEO of Palmetto Health, gave a brief overview of Palmetto Health. He reminded Council that they were invited to a Celebration Reviewing the First Ten Years of Reinvestment Back into the Community on March 21st from 11:00 a.m.-12:30 p.m. in the Baptist Auditorium on Sumter Street.

CITIZEN'S INPUT

Mr. Bill Edmonds spoke regarding the bidding process for the Broad Water Regional Wastewater Treatment Plant Construction Contract.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES

Regular Session: March 13, 2007 – Mr. Jeter moved to reconsider the Undesignated Hospitality Tax Funding Request for the SC Gospel Quartet 8th Annual Awards Banquet and Concert. The vote was in favor.

Mr. Livingston stated the title of the minutes on p. 7 should be Special Called Meeting not Regular Session.

Mr. Montgomery stated that the substitute motion vote on the p. 12 (Undesignated Hospitality Tax Funding Request: SC Gospel Quartet 8th Annual Awards Banquet and Concert) and the vote on p. 13 (Undesignated Hospitality Tax Funding Request: Capital Chevrolet Classic) were incorrectly recorded in the minutes.

Ms. Scott moved, seconded Ms. Dickerson, to approve the minutes as corrected. The vote in favor was unanimous.

REPORT OF COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

The following item was a potential Executive Session Item:

- a. **Transportation Commission Contract for Services Award**

REPORT OF THE COUNTY ADMINISTRATOR

Animal Care – Mr. Pope stated there was no report at this time.

Recognition of Community Development – Mr. Pope requested that this item be deferred until the next Council meeting.

Recognition of Detention Center Volunteers – Mr. Pope requested that this item be deferred until the next Council meeting.

REPORT OF THE CLERK OF COUNCIL

SCAC County Focus Magazine – Ms. Finch stated that she had additional copies of the magazine available.

Neighborhood Planning Conference-March 31st, Midlands Technical College, Northeast Campus – Ms. Finch reminded Council of the Neighborhood Planning Conference on March 31st from 7:30 a.m-3:00 p.m. at Midlands Technical College, Northeast Campus.

Homebuilders' Association – Ms. Finch stated that the Homebuilders' Association invited Council to attend a luncheon on April 10th at 12:00 p.m. regarding the Economic Impact on Housing in Richland. The speaker will be Dr. Elliott Eisenberg of the National Homebuilders' Association. The location is still to be determined.

Parking Decals – Ms. Finch stated that Security had alerted her regarding cars parked in the garage without the proper parking decals.

Annual NaCo Conference – Ms. Finch stated that the annual conference will be held July 13-17th in Richmond, Virginia. Please contact Ms. Finch if you plan to attend.

Governor's Land Use Conference – Ms. Finch stated that this conference will be held in Charleston.

REPORT OF THE CHAIRMAN

Neighborhood Planning Conference – Mr. McEachern asked that Council please attend this conference.

PUBLIC HEARING ITEMS

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

- **Ordinance Authorizing the Issuance and Sale of the Broad River Sewer System General Obligation Refunding Bonds of Richland County, South**

- Carolina in the Principal Amount not to exceed \$16,500,000.00** – No one signed up to speak.
- **Ordinance Authorizing Deed to Forum Development II, LLC for Lot 14 in the Richland Northeast Industrial Park (Portion of TMS #25800-04-01)** – No one signed up to speak.
 - **An Ordinance Authorizing Quit-Claim Deed to Janice Juanita Newbold-Molden and Albert Wallace for a Certain Portion of a Right-of-Way Known as Bluff Oaks Road, Richland County** – No one signed up to speak.
 - **An Ordinance Authorizing the Granting of a Waterline Right-of-Way Easement to the City of Columbia, Across Property Identified as a Portion of TMS #R162-03-20, to Serve the New Columbia State Farmers' Market** – No one signed up to speak.
 - **An Ordinance Amending the FY 2006-2007 Special Revenue Fund Annual Budget to Add Six Firefighters to Fire Services. Funds are presently available in the Departmental Budget to cover the Costs of these new positions. There will be no additional costs for this fiscal year.** – No one signed up to speak.
 - **An Ordinance Amending the FY 2006-2007 General Fund Annual Budget to Add Four Emergency Medical Technicians and Four Paramedics to Emergency Medical Services. Funds are presently available in the Department Budget to cover the costs of these new positions. There will be no additional costs for this fiscal year.** – No one signed up to speak.
 - **An Ordinance Authorizing the Granting of a Sewer Easement to Ginn-LA University Club, LTD, LLP, Across Property Lying to the North of McNulty Street, Blythewood, South Carolina and Identified as a Portion of TMS #15209-01-04** – No one signed up to speak.
 - **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VI, Elected and Special Officers; Section 2-262, Salaries of Certain Elected Officials; so as to provide for the salaries of such officials and for subsequent pay increases** – No one signed up to speak.

The public hearing was closed.

APPROVAL OF CONSENT ITEMS

Ms. Scott moved, seconded by Ms. Dickerson, to approve the following consent items:

- **Ordinance Authorizing the Issuance and Sale of the Broad River Sewer System General Obligation Refunding Bonds of Richland County, South Carolina in the Principal Amount not to exceed \$16,500,000.00** [Third Reading]
- **Ordinance Authorizing Deed to Forum Development II, LLC for Lot 14 in the Richland Northeast Industrial Park (Portion of TMS #25800-04-01)** [Third Reading]

- **06-63MA, C. Douglas Caughman, RU to GC (3.54 Acres), Family Day Care & General Commercial, 19011-02-01(p), 378 & Garners Ferry Road [Third Reading]**
- **06-64MA, James Craig/Heritage Forest Development, M-1 to RS-LD (26.23 Acres), Single Family Residential Subdivision, 17600-02-04, Wooten Road [Third Reading]**
- **07-01MA, Cynthia Stewart, RU to OI (2 Acres), Insurance Office, 25900-04-04, Two Notch [Third Reading]**
- **07-10MA, Copper Beach Townhouses, HI to RM-HD (54.6 Acres), Multi-Family Townhouses, 13607-02-01, Bluff Road & Southern Drive [Third Reading]**
- **07-08MA, H. H. Hunt, M-1 to GC (10.42 Acres), Proposed Apartment Project, 04914-01-01 & 04910-01-07, Piney Woods Road [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VII, Boards, Commissions and Committees; Section 2-326, Boards and Commissions created and recognized; Subsection (k), Richland County Transportation Study Commission; so as to amend the membership and structure of the commission [Third Reading]**
- **An Ordinance Authorizing Quit-Claim Deed to Janice Juanita Newbold-Molden and Albert Wallace for a Certain Portion of a Right-of-Way Known as Bluff Oaks Road, Richland County [Third Reading]**
- **An Ordinance Authorizing the Granting of a Waterline Right-of-Way Easement to the City of Columbia, Across Property Identified as a Portion of TMS #R162-03-20, to serve the New Columbia State Farmers' Market**
- **An Ordinance Amending the FY 2006-2007 Special Revenue Fund Annual Budget to Add Six Firefighters to Fire Services. Funds are presently available in the Departmental Budget to cover the costs of these new positions. There will be no additional costs for this fiscal year. [Third Reading]**
- **An Ordinance Amending the FY 2006-2007 General Fund Annual Budget to Add Four Emergency Medical Technicians and Four Paramedics to Emergency Medical Services. Funds are presently available in the Department Budget to cover the costs of these new Positions. There will be no additional costs for this fiscal year. [Third Reading]**
- **An Ordinance Authorizing the Granting of a Sewer Easement to Ginn-LA University Club, LTD, LLP, Across Property Lying to the North of McNulty Street, Blythewood, South Carolina and Identified as a Portion of TMS #15209-01-04 [Third Reading]**
- **Budget Amendment: Request to Transfer \$50,000 to the Council Services Budget [Second Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-9, Through Truck Prohibited; so as to prohibit through truck traffic on Bakersfield Road and Richland County, South Carolina [Second Reading]**

- **Ordinance Amending Ordinance No. 110-06HR, Which Authorized a Deed to L-J, Inc. for Lots 18 & 19 in the Richland Northeast Industrial Park so as to allow the lots to be conveyed to David N. Jordan [Second Reading]**
- **07-06MA, Dunbar Funeral Home, RU to OI (2 Plus Acres), General Commercial, 20281-01-16(p), 4219 Hard Scrabble Road [Second Reading]**

The vote in favor was unanimous.

THIRD READING ITEMS

07-09MA, Robert Fuller/Dunlap & Sharp Condos, M-1 to GC (3.54 Acres), Student Condominium Residential Project 11111-01-54, Bluff Industrial Blvd. Extension – Ms. Smith moved, by unanimous consent, to waive Council rules for public input on this item. The motion failed. A discussion took place.

Ms. Scott moved, seconded by Ms. Dickerson, to approve this item.

Ms. Smith made a substitute motion, seconded by Mr. Pearce, to defer this item for six weeks and to direct staff to begin work on a plan to deal with industry/residential development in the meantime.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Jackson
Malinowski	Jeter
Hutchinson	Livingston
McEachern	Dickerson
Smith	Scott
Montgomery	

The substitute motion passed.

POINT OF ORDER – Ms. Smith stated that she thought the discussion should be between Ms. Scott and herself in private.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 2, Competitive Purchasing Policy; Section 2-598, General Provisions; Subsection (A): So as to exempt certain contracts from the County's requirements under this article – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article VI, Elected and Special Officers; Section 1-262, Salaries of Certain Elected Officials; so as to provide for the salaries of such officials and for subsequent pay increases – Mr. Montgomery moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

Ordinance Approving the Broad River Regional Wastewater Treatment Plant Rate Adjustment – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item.

Mr. Pearce moved, seconded by Mr. Montgomery, to amend 2.b., line 3 to read:
... beginning July 1, 2007.

Mr. Pope stated that bond counsel suggested the addition of 2.c. to read: Prior to the effective date in connection with the collection system, which received a permit to operate from the South Carolina Department of Health and Environmental Control, sewer taps shall be sold or made available at a rate of \$2,200.00. All other taps sold or made available from the date of this enactment of this ordinance shall be sold or made available at the increased rate of \$3,000.00.

Mr. Livingston accepted the amendments to the original motion.

Mr. Malinowski made a substitute motion, seconded by Mr. Montgomery, to increase the user fee to \$42.02 and the tap fee be increased to \$4,000.00. A discussion took place.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Dickerson
Malinowski	Scott
Jackson	
Jeter	
Hutchinson	
McEachern	
Livingston	
Smith	
Montgomery	

The substitute motion passed.

- a. **Award of Construction Contract** – Mr. Pearce moved, seconded by Ms. Smith, to approve this item. A discussion took place.

Mr. Montgomery moved, seconded by Mr. Livingston, to defer this item until after Executive Session. The vote in favor was unanimous.

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

An Ordinance to the Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Article 1, In general; Section 21-11, Traffic Engineering; so as to permit the construction and maintenance of electric traffic signalization devices for County maintained roads – Mr. Montgomery moved, seconded by Mr. Pearce, to approve this item and forwarded the prioritization and funding materials to the D&S Committee. A discussion took place. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

Approval of Contract with SunGard Bi-Tech for the Purchase of Finance and Human Resource Software System – Mr. Pearce moved, seconded by Ms. Smith, to defer this item until the April 3rd Council meeting. The vote in favor was unanimous.

Transportation Commission Contract for Services Award – Mr. Montgomery moved, seconded by Mr. Pearce, to defer this item until after Executive Session. A discussion took place.

REPORT OF WORK SESSION

Animal Care – Ms. Smith moved, seconded by Mr. Pearce, to direct administration to prepare two options for our consideration within 30 days. Option 1 would be to negotiate a MOU with the City of Columbia for Animal Services that would include an option to contract with a private agency to work toward a no-kill policy. The second option would be a county owned and operated comprehensive animal services facility that would also include an option to contract with a private agency to work toward a no-kill policy. The vote in favor was unanimous.

County Administrator's Contract – The item was received as information.

CITIZEN'S INPUT

Mr. Earl McLeod spoke regarding the process of a public hearing.

EXECUTIVE SESSION ITEMS

- a. **Broad River Regional Wastewater Treatment Plant Award of Construction Contract** – Mr. Montgomery moved, seconded by Ms. Smith, to approve the administration's recommendation. The vote was in favor.
- b. **Transportation Commission Contract for Services Award** – Mr. Montgomery moved, seconded by Mr. Livingston, to approve the administration's recommendation with the following stipulation: that we require regular reports on minority business participation and that they meet the commitment that they have made as a minimum with regard to minority business participation.

Ms. Smith requested the following amendment: to direct requests for funding to the CTC.

Mr. Montgomery and Mr. Livingston accepted the amendment.

Mr. Jackson made a substitute motion, seconded by Ms. Hutchinson, to direct the committee to collect all necessary data before Council makes a final decision on the awarding of the contract for services. A discussion took place.

<u>In Favor</u>	<u>Oppose</u>
Malinowski	Pearce
Jackson	McEachern
Jeter	Livingston
Hutchinson	Smith
Dickerson	Scott
	Montgomery

The substitute motion failed.

<u>In Favor</u>	<u>Oppose</u>
Pearce	Malinowski
Jeter	Jackson
McEachern	Hutchinson
Livingston	Dickerson
Smith	
Scott	
Montgomery	

The main motion passed.

Ms. Montgomery moved, seconded by Ms. Dickerson, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 8:00 p.m. and came out at approximately 8:42 p.m.
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Mr. Montgomery moved, seconded by Ms. Scott to come out of Executive Session. The vote in favor was unanimous.

Undesignated Hospitality Tax Funding Request: SC Gospel Quartet 8th Annual Awards Banquet and Concert – Mr. Jeter moved, seconded Ms. Scott, to appropriate \$20,000 from the Undesignated Hospitality Tax Fund for the 8th Annual SC Gospel Quartet Concert.

Mr. Livingston moved, seconded by Mr. Jeter, to incorporate the following amendment: that any subsequent hospitality tax requests not taken up during the budget process requires at least a 2/3 vote of Council.

POINT OF ORDER – Ms. Smith stated that this is a rules change and requires notice to the Council and will need to be referred to the Rules Committee.

Mr. Livingston withdrew the amendment to the motion.

The vote was in favor.

MOTION PERIOD

Resolution for Marlin Henderson – Ms. Scott moved, seconded by Mr. Montgomery, to adopt a resolution for Richland County employee Marlin Henderson upon her retirement. The vote in favor was unanimous.

Hopkins Rural Development Work Session – Ms. Scott moved, seconded by Mr. Montgomery, to schedule a Hopkins Rural Development work session for March 26th at 4:30 p.m. The vote in favor was unanimous.

Planning Commission – Mr. Jackson forward to the D&S Committee the composition of the Planning Commission be reviewed with regards to no more than two members from the same special interest group participate in the commission.

City of Columbia Debt – Mr. Jackson forwarded to the A&F Committee the collection of all outstanding debt owed by the City of Columbia from contracts and agreements.

Discretionary Grants Committee – Mr. Jackson forwarded to the A&F Committee a request that the Discretionary Grants Committee meet twice a year.

Subsequent Hospitality Tax Funding Requests – Mr. Livingston forwarded to the Rules & Appointments Committee a request that all subsequent Hospitality Tax funding requests outside the budget process require 2/3 vote of Council.

Resolution for Dr. Chavis – Mr. McEachern moved, seconded Ms. Scott, to adopt a resolution for Dr. Chavis, Ridgewood Baptist Church, upon his retirement. The vote in favor was unanimous.

Resolution for Dr. Gloria Blackwell – Mr. McEachern moved, seconded by Mr. Pearce, to adopt a resolution for Dr. Gloria Blackwell in honor of her 80th birthday. The vote in favor was unanimous.

Woodrow Wilson House – Mr. Pearce stated that he would be forwarding to Council a website for the Woodrow Wilson House restoration.

Subdivision Review – Mr. Jackson forwarded to the D&S Committee a request to place the review of subdivisions under the authority of the Planning Commission.

Sewer Extension Policy – Mr. Malinowski forwarded to the D&S Committee a request to place the sewer extension under the authority of County Council.

Floodplain Ordinance – Mr. Jackson forwarded to the Planning Commission the review of the fill in floodplain ordinance.

An Ordinance Authorizing the Granting of a Sewer Easement to Ginn-LA University Club, LTD, LLP, Across Property Lying to the North of McNulty Street, Blythewood, South Carolina and Identified as a Portion of TMS #15209-01-04 – Ms. Scott moved, seconded by Ms. Smith, to reconsider this item. The motion failed.

ADJOURNMENT

The meeting adjourned at approximately 9:30 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley