

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, SEPTEMBER 20, 2011 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.*

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### MEMBERS PRESENT:

Chair	Paul Livingston
Vice Chair	Damon Jeter
Member	Joyce Dickerson
Member	Gwendolyn Davis Kennedy
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Seth Rose
Member	Kelvin Washington

**OTHERS PRESENT** – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Melinda Edwards, Daniel Driggers, John Hixson, Dale Welch, Valeria Jackson, Jocelyn Jennings, Nelson Lindsay, Andy Metts, Brad Farrar, Geo Price, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at 6:01 p.m.

### INVOCATION

The Invocation was given by the Honorable Bill Malinowski

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

## APPROVAL OF MINUTES

**Regular Session: September 6, 2011** – Ms. Kennedy moved, seconded by Ms. Hutchinson, to approve the minutes as submitted. The vote in favor was unanimous.

## ADOPTION OF AGENDA

Mr. Livingston stated that Item 6.c. "CMRTA IGA" needed to be listed as an action item.

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

## REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

- a. **Eastover Water – Contractual Matter**
- b. **Personnel Matter**
- c. **CMRTA IGA**
- d. **Project Atlas**

**POINT OF PERSONAL PRIVILEGE** – Mr. Manning stated that there was an invitation from the Gills Creek Watershed Association for each Council member on the desk.

Mr. Manning also recognized from the Midlands Technical College Human Services Department, Ms. Marian Ross, Ms. Renee Coletrane and their students were in the audience.

Ms. Dickerson recognized Ms. Corley, former Richland District Two School Board Member, was in the audience.

Mr. Washington recognized Mr. Tony Grant was in the audience.

## CITIZENS' INPUT

No one signed up to speak.

## REPORT OF THE COUNTY ADMINISTRATOR

- a. **Business Friendly Task Force** – Mr. McDonald stated that the Business Friendly Task Force held their first meeting on September 8, 2011. The members requested additional information from the City of Columbia and Richland County. Staff is compiling the information, which will be reviewed

and discussed at the upcoming Task Force meeting on September 29<sup>th</sup> at 4:00 p.m. at the Chamber of Commerce.

- b. **Decker Center Update** – Mr. McDonald stated that letters were forwarded to the current tenants regarding the date which they must vacate the facility. The tenants were also notified that late fees will be assessed if rent payments are late.
- c. **Employee Grievance** – This item was taken up in Executive Session.

#### REPORT OF THE CLERK OF COUNCIL

- a. **Fall Meeting of the County Council Coalition, Friday, October 14, 2011, Embassy Suites Hotel** – Ms. Onley stated that the County Council Coalition will be held October 14<sup>th</sup> at the Embassy Suites Hotel and that registration is due by October 7<sup>th</sup>.
- b. **Reminder: Strategic Plan Retreat, September 22<sup>nd</sup>, 4 p.m., Council Chambers** – Ms. Onley reminder Council of the Strategic Plan Retreat on September 22<sup>nd</sup> at 4:00 p.m. in Chambers.

#### REPORT OF THE CHAIRMAN

- a. **Budget Amendment for Sheriff Department's Rank Structure Program** – Ms. Dickerson moved, seconded by Mr. Manning, to approve this item as amended. The vote in favor was unanimous.
- b. **Recreation Commission Meet & Greet** – Mr. Livingston stated that the Recreation Commission has requested a meet & greet with Council members. The Clerk's Office is to e-mail Council regarding potential dates.
- c. **CMRTA IGA** – This item was taken up during Executive Session.
- d. **Strategic Plan Retreat** – Mr. Livingston informed Council that end time for the Strategic Plan Retreat had been changed to 5:30 p.m. After a brief discussion it was decided to extend the time to 6:00 p.m.

#### PUBLIC HEARINGS

- **An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS # 1750-03-67** – No one signed up to speak.
- **An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision; Richland County TMS # 1750-03-67** – No one signed up to speak.

- **Adoption of Analysis of Impediments (AI) to Fair Housing Choice** – Mr. Ernest Swiger spoke regarding this item.

#### APPROVAL OF CONSENT ITEMS

- **11-08MA, Larry H. Sharp, RU to RC (3.26 Acres), 8308 Winnsboro Road, 10100-05-01,02 [THIRD READING]**
- **11-09MA, Joseph E. Sharp, RU to RC (3.49 Acres), 8105 Winnsboro Road, 09900-03-04, 05 [THIRD READING]**
- **11-10MA, Vulcan Lands, Inc., RU to HI (292.43 Acres), Caughman Road, 06500-01-03, 06500-01-11(p) [THIRD READING]**
- **An Ordinance Authorizing Easement to the City of Columbia for Sanitary Sewer Main to serve the Brookhaven Subdivision; Richland County TMS #17500-03-67 [THIRD READING]**
- **An Ordinance Authorizing Easement to the City of Columbia for a water main to serve the Brookhaven Subdivision; Richland County TMS # 17500-03-67 [THIRD READING]**

Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the consent items. The vote in favor was unanimous.

#### THIRD READING

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article X, Subdivision Regulations; so as to add a new section that permits private road subdivisions in the RU (Rural) Zoning Districts [SECOND READING]** – Mr. Jackson moved, seconded by Mr. Washington, to defer this item until the October 4<sup>th</sup> Council meeting. The vote was in favor.

#### REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

**Shop Grove Commerce Park Multi-County Industrial Park Designation—Ordinance to designate Shop Grove Commerce Park as a Multi-County Industrial Park [FIRST READING BY TITLE ONLY]** – Mr. Washington stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

**Project Atlas—Inducement Resolution** – Mr. Washington stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

**Project Atlas—Ordinance authorizing a Fee in Lieu of Tax Agreement between Richland County and Project Atlas** – Mr. Washington stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

**Village at Sandhill Improvement District—Resolution Approving the 2011 Assessment Roll for the Village at Sandhill Improvement District** – Mr. Washington stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

## **REPORT OF RULES AND APPOINTMENTS COMMITTEE**

### **I. DISCUSSION FROM RULES AND APPOINTMENTS**

- a. **Employee Grievance Committee Process** – Mr. Malinowski stated that this item was withdrawn in committee based on legal opinion.
- b. **County Council will consider a rule change that states any Special Called Meeting will only have the item(s) the meeting was called for on the agenda. A complete agenda with Administrator, Attorney and Clerk of Council report will not be required nor will approval of previous meeting minutes or any citizens' input be on the agenda unless it relates to the matter the meeting is called for** – Mr. Malinowski stated that this item was held in committee.
- c. **When speaking during the citizens' input portion of council meetings, persons currently serving on Richland County Commissions of any kind are not allowed to use their title or the commission name unless they have received unanimous consent from the commission to do so** – Mr. Malinowski stated that this item was held in committee.
- d. **Interview appointments for applicants meeting with the Rules and Appointments Committee will be scheduled at least one week in advance** – Mr. Malinowski stated that the committee recommended scheduling interviews as far in advance as possible prior to the actual meeting.

## II. NOTIFICATION OF APPOINTMENTS

### a. Central Midlands Council of Governments—1

Ms. Hutchinson moved, seconded by Mr. Pearce, to amend the agenda to add the vote for the Central Midlands Council of Governments appointment. The vote in favor was unanimous.

Mr. Pearce, Mr. Jeter, Mr. Livingston, Ms. Dickerson, Mr. Manning, and Mr. Washington voted for Ms. Moryah Jackson.

Ms. Moryah Jackson was appointed.

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

## OTHER ITEMS

**Adoption of Analysis of Impediments (AI) to Fair Housing Choice** – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

## CITIZEN'S INPUT

No one signed up to speak.

## EXECUTIVE SESSION

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**Council went into Executive Session at approximately 6:59 p.m. and came out at approximately 8:25 p.m.**  
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- a. **Eastover Water – Contractual Matter** – Mr. Washington moved, seconded by Mr. Malinowski, to authorize the Administrator to continue discussions with the Town of Eastover regarding water and sewer. The vote in favor was unanimous.
- b. **Employee Grievance** – Mr. Malinowski moved, seconded by Mr. Jackson, to uphold the Administrator's recommendation. The vote in favor was unanimous.
- c. **Personnel Matter** – Mr. Rose moved, seconded by Ms. Hutchinson, to direct the County Attorney to proceed with the Personnel Matter as discussed in Executive Session. The vote in favor was unanimous.

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

- d. **CMRTA IGA** – Ms. Dickerson moved, seconded by Mr. Washington, to approve the amended IGA as discussed in Executive Session. The vote was in favor.

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

#### MOTION PERIOD

**Motion that Council and Council Staff develop and implement a plan that will enable us to achieve the SC State goal of a 35% solid waste diversion within 5 years and long term goal of “zero waste.” [ROSE]** – This item was referred to the D&S Committee.

**Decker Boulevard Commercial Corridor District Ordinance Change [DICKERSON & MANNING]** – This item was referred to the D&S Committee.

**Resolution honoring Gadsden Elementary on being designated a “National Blue Ribbon School” [WASHINGTON]** – Mr. Washington moved, seconded by Mr. Malinowski, to adopt a resolution honoring Gadsden Elementary on being designated a “National Blue Ribbon School”. The vote in favor was unanimous.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; by the addition of Section 18-7, “Bath Salts” and Synthetic Marijuana; so as to prohibit the use, purchase, sale or possession of such substances in Richland County [ROSE]** – Mr. Rose moved, seconded by Mr. Washington, to add the motion regarding the ordinance prohibiting the use, purchase, sale or possession “bath salts” and synthetic marijuana. The vote was in favor.

This item was referred to the D&S Committee.

**To withdraw the following motion made at the September 6<sup>th</sup> Council meeting: “Motion that Council direct the County Attorney to develop a protocol for outsourcing County legal matters to Richland County law firms. For each area of law the County Attorney is to have a list of competent Richland based law firms in that field and the County legal business is to be given out on a rotational basis working off that particular list designated for each specific area of law. The purpose of this motion is to divvy out the County legal business to competent Richland law firms in the most fair and equitable manner” [ROSE & JETER]** – This motion was withdrawn.

**Request unanimous consent for Resolutions honoring Deputy Young and Investigator Hartland of the RCSD for their winning performances in the recently held 2011 World Police and Fire Games held in New York City [PEARCE, WASHINGTON, MANNING, DICKERSON & ROSE]** – Mr. Pearce moved, seconded by Mr. Jackson, to adopt resolutions honoring Deputy Young and Investigator Hartland on

their winning performance in the 2011 World Police and Fire Games in New York City. The vote in favor was unanimous.

**Motion for a resolution to honor Bob Arial for his upstanding civic work and his one of a kind historical and cultural contributions to our community [ROSE]** – Mr. Rose moved, seconded by Ms. Hutchinson, to adopt a resolution honoring Bob Arial for his upstanding civic work and his one of kind historical and cultural contributions to our community. The vote in favor was unanimous.

**Motion for a resolution to honor the University of South Carolina Gamecock Baseball team for winning back to back National Championships [ROSE]** – Mr. Rose moved, seconded by Ms. Dickerson, to adopt a resolution honoring the USC Gamecock Baseball team for winning back to back National Championships. The vote in favor was unanimous.

#### ADJOURNMENT

The meeting adjourned at approximately 8:35 p.m.

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Paul Livingston, Chair

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Damon Jeter, Vice-Chair

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Gwendolyn Davis Kennedy

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Joyce Dickerson

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Valerie Hutchinson

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Norman Jackson

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Bill Malinowski

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Jim Manning

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L. Gregory Pearce, Jr.

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Seth Rose

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Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley