

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 21, 2009 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	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

**OTHERS PRESENT** – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Matthews, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Joseph Kocy, Anna Almeida, Amelia Linder, Paul Alcatar, Pam Davis, Daniel Driggers, Dan Kim, Dan Cole, Stacy Pritchard, Kyle Holsclaw, Dale Welch, Connellus Morgan, Srinivas Valavala, Bill Peters, John Hixson, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:01 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.

## PRESENTATIONS

**DHEC Recycling Award Presentation** – Ms. Jennifer Dowden and Mr. Paul Alcatar outlined the Solid Waste Department's recycling endeavors.

**Richland County Recreation Commission \$50,000,000 Bond Status** – Mr. Bob Redfearn, Recreation Commission Interim Executive Director, and Ms. Frannie Heizer updated Council on the status of the recreation bond projects.

## CITIZENS' INPUT

Mr. Jackson moved, seconded by Mr. Manning, to suspend the rules to allow the citizens to speak regarding the bagging of leaves. The motion failed.

MR. MANNING LEFT THE MEETING AT APPROXIMATELY 6:20 P.M.

## APPROVAL OF MINUTES

**Regular Session: April 7, 2009** – Mr. Pearce moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

## ADOPTION OF AGENDA

Mr. Pope stated that the Farmers' Market Update needed to be removed under the Report of the County Administrator.

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

## REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **CMRTA Intergovernmental Agreement**
- b. **HBA vs. Richland County**
- c. **Fire Contract**

## REPORT OF THE COUNTY ADMINISTRATOR

**Employee Grievances—3** – Mr. Jeter moved, seconded by Ms. Hutchinson, to accept the Administrator's recommendations. The vote in favor was unanimous.

**Stimulus Update** – Mr. Pope stated that the Stimulus Ad Hoc Committee met with the representatives from the Sheriff's Department, Community Development, Administration, and the Council of Governments. Administration is presently working with a consultant and will be bringing on a part-time grants writer. A list of all stimulus projects that the County is applying for will be provided to Council via e-mail. Any stimulus funds that the County received will be reported in the weekly e-mail from Administration.

**FY10 Motions List** – Mr. Pope stated any deletions/additions to the budget motions list should be forwarded to staff by May 1<sup>st</sup>.

**NaCO Rx Card Update** – Mr. Pope gave a brief update on the benefits of the NaCo prescription card to residents of Richland County.

**Public Input Process: Stormwater/Bagging of Leaves** – Mr. Pope stated there was some concern that the electronic process may not be accessible to those residents in the rural areas of the County and therefore, additional public hearings have been suggested for those citizens.

#### **REPORT OF THE CLERK OF COUNCIL**

No report was given.

#### **REPORT OF THE CHAIRMAN**

No report was given.

**POINT OF PERSONAL PRIVILEGE** – Mr. Pearce recognized the Boy Scout from Troop 10 in the audience.

**POINT OF PERSONAL PRIVILEGE** – Mr. Livingston recognized the group from the USC School of Journalism.

**POINT OR PERSONAL PRIVILEGE** – Mr. Pearce distributed cards from LRADAC detailing the costs of underage drinking and from the Alliance for the Mentally Ill on how to identify people who are mentally ill and how to communicate with them.

#### **PUBLIC HEARING ITEMS**

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

- **A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (Lexington-Richland Alcohol and Drug Abuse Council, Inc. Project) Series 2009, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$4,500,000** – No one signed up to speak.

The public hearings were closed.

### APPROVAL OF CONSENT ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; so as to amend Subsection (E), Prohibited Signs, and to create a new subsection for the purpose of enforcement [THIRD READING]**
- **A Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (Lexington-Richland Alcohol and Drug Abuse Council, Inc. Project) Series 2009, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$4,500,000**

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

### THIRD READING ITEMS

**An Ordinance Amending the Fiscal Year 2008-2009 Road Maintenance and Mass Transit Budget Ordinance, so as to reinstate the Mass Transit portion of the Road Maintenance fee and appropriate such increase in funds for Mass Transit** – This item was taken up after Executive Session.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article I, in general; Section 5 and Section 7 to authorize motor vehicle trade-ins as an allowable deduction; Section 16-19, Appeals; and Section 16-22, Penalties; so as to amend the appeals process and to allow the waiver of penalties in certain limited circumstances** – Mr. Pearce moved, seconded by Mr. Jeter, to approve this item.

Mr. Malinowski moved to deny this item. The motion died for lack of a second.

The vote was in favor of approval.

**An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; Article II, Collection and Disposal; Section 12-16, Yard Trash and other Household Articles** – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item until a work session is held. The vote in favor was unanimous.

## SECOND READING ITEM

**An Ordinance repealing sections of the Richland County Code of Ordinances, specifically the provisions of Article VIII, entitled "Personnel Regulations," of Chapter 2, entitled "Administration"** – Mr. Malinowski moved, seconded Ms. Kennedy, to defer this item until a work session is held.

<u>In Favor</u>	<u>Oppose</u>	<u>Not Present</u>
Malinowski	Pearce	Manning
Jackson	Jeter	
Hutchinson	Livingston	
Kennedy	Dickerson	
Washington	Smith	

The motion for deferral failed.

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

<u>In Favor</u>	<u>Oppose</u>	<u>Not Present</u>
Pearce	Malinowski	Manning
Jeter	Jackson	
Hutchinson	Kennedy	
Livingston	Washington	
Dickerson		
Smith		

The vote was in favor of approval.

**An Ordinance consenting to an assignment to TRC Propco, Inc. of all rights and obligations of HOLO (SC) QRS 16-91, Inc. relative to all interests in real property and improvements, and all personal property, under a lease agreement, an inducement and millage rate agreement and a fee agreement with Richland County and approving related amendments and restatements of the terms and conditions of the existing lease agreement and fee agreement between HOLO (SC) QRS 16-91, Inc. and Richland County to reflect the assignment of such terms and conditions and approving the terms and conditions of a consent and subordination agreement to be entered into among TRC Propco, Inc., and its lender and Richland County and matters thereto related** – Mr. Pearce moved, seconded by Mr. Jeter, to approve this item. The vote in favor was unanimous.

## FIRST READING ITEM

**An Ordinance Adopting a Comprehensive Plan for the County of Richland, pursuant to the State of South Carolina Comprehensive Planning Enabling Act of 1994** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

**REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

**Request to develop a working plan for establishing public-private partnerships for county projects and initiatives** – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

**REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

**An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina and Trane U. S. Inc. (formerly named American Standard, Inc.) and matters relating thereto** – Mr. Pearce stated the committee recommended approval. The vote in favor was unanimous.

**CITIZENS' INPUT**

Mr. Ronald Collin spoke regarding an incident with the Sheriff's Department.

**EXECUTIVE SESSION ITEMS**

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**Council went into Executive Session at approximately 7:00 p.m. and came out at approximately 7:47 p.m.**  
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- a. **CMRTA Intergovernmental Agreement** – Ms. Dickerson moved, seconded by Ms. Kennedy, to approve the Mass Transit Ordinance and the CMRTA Intergovernmental Agreement. The vote was in favor.

**MOTION PERIOD**

**Delay Implementation of Reassessment for one year** – Mr. Jackson referred this item to the A&F Committee.

**Initiation of a rezoning process for TMS #11203-01-02** – Mr. Washington referred this item to the D&S Committee.

**Changeable Copy Sign Ordinance** – Ms. Kennedy referred a draft proposal regarding the changeable copy sign ordinance to the D&S Committee.

**Amend "Imagine Richland County 2020 Comprehensive Plan" to incorporate the following study: "Growing Together: Thriving People for a Thriving Columbia"** – Mr. Washington referred this matter to the D&S Committee.

**ADJOURNMENT**

The meeting adjourned at approximately 7:53 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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L. Gregory Pearce, Jr.

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Kit Smith

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Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley