

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, APRIL 3, 2012 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	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose

Absent Valerie Hutchinson

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Stephany Snowden, Tamara King, Brad Farrar, John Hixon, Dale Welch, Tracy Hegler, Elizabeth McLean, Sara Salley, Hayden Davis, Nelson Lindsay, Daniel Driggers, Geo Price, David Adams, Kecia Lara, Wanda Kelly, Judge Donald Simons, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:04 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

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson introduced the new Mayor of Blythewood, J. Michael Ross and Town Administrator, John Perry.

APPROVAL OF MINUTES

Regular Session: March 20, 2012 – Ms. Dickerson moved, seconded by Mr. Jeter, to approve the minutes as distributed. The vote in favor was unanimous.

Zoning Public Hearing: March 27, 2012 – Mr. Malinowski stated that the minutes needed to be amended to remove Councilman Rose's name from the members present.

Mr. Pearce moved, seconded by Mr. Livingston, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Pope stated that National County Government Month Update needed to be added under the Report of the County Administrator.

Mr. Manning requested that Items 35, 40.a. and 40.b. be taken up together.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following were potential Executive Session Items:

a. Personnel Matter

CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

Legislative Contacts – Mr. Pope stated an e-mail regarding the establishment of a Legislative Contracts Program would be sent to Council.

National County Government Month – Ms. Snowden gave a brief overview of the events for National County Government Month.

REPORT OF THE CLERK OF COUNCIL

Council Photograph, April 17th, 6:00 p.m. – Ms. Onley stated that the Council photograph has been re-scheduled for April 17th at 6:00 p.m.

REPORT OF THE CHAIRMAN

Personnel Matter – This item was taken up during Executive Session.

Broadcast of Council Meetings – Mr. Rose moved, seconded by Ms. Dickerson, to reconsider the adoption of the agenda. The vote in favor was unanimous.

Mr. Rose moved, seconded by Ms. Dickerson, to make Broadcast of Council Meetings an action item. The vote in favor was unanimous.

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

Mr. Rose moved, seconded by Ms. Dickerson, to begin broadcast of Council meetings on April 17, 2012. A discussion took place.

The vote in favor was unanimous.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive** – No one signed up to speak.
- **An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2012A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto** – No one signed up to speak.
- **An Ordinance amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$85,800 of General Fund Undesignated Fund Balance for expenses from the Republican Party** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive [SECOND READING]
- An Ordinance Amending the Fiscal Year 2011-2012 General Fund Annual Budget to appropriate \$85,800 of General Fund Undesignated Fund Balance for expenses from the Republican Party [SECOND READING]
- 12-08MA, LandTech Inc. of SC, Kevin Steelman, NC to RS-MD (4.01 Acres), Three Dog Rd. & US 76, 01506-01-11 [SECOND READING]
- 12-10MA, Irving Spigner, HI to GC (2 Acres), 10320 Farrow Rd., 17500-03-10(p) [SECOND READING]
- 12-11MA, William Sease, RM-HD to GC (.45 Acres), 3120 Lawrence St., 06012-02-16/17 [SECOND READING]
- An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-175, Access; so as to delete the requirement of an encroachment permit [SECOND READING]
- Resolution in Support of National County Government Month April 2012
- Approval to Exercise the Second Year of a Contract with Palmetto Posting, Inc.
- Authorization to increase the Iron Mountain purchase order over \$100,000
- Council Expenditure Accounts (Malinowski) [Forward to Rules & Appointments]
- Council Expenditure Accounts (Manning) [Forward to Rules & Appointments]
- Emergency Back-Up Generator Replacement at Four Fire Stations
- Policy for Reduced or Eliminated Grants

Mr. Pearce 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 IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (B), Processes; so as to reduce the time to act on the application from sixty (60) days to thirty (30) days – Mr. Malinowski moved, seconded by Mr. Pearce, to defer this item until the April 17th Council meeting. The vote in favor was unanimous.

Authorizing an Amendment to the Master Agreement Governing the I-77 Corridor Regional Industrial Park by and between Richland County, South Carolina, and Fairfield County, South Carolina, to expand the boundaries of the park to include certain real property located in Richland County; and other related matters – Mr. Livingston moved, seconded by Mr. Malinowski, to approve this item with the following additional language: “only those entities at the time of the agreement shall share the revenues despite any additional entities in the future.” The vote in favor was unanimous.

SECOND READING

An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2012A, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF DEVELOPMENT AND SERVICES COMMITTEE

Automated GIS-Based Tracking Software for Land Development – Mr. Jackson moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

Animal Care: Proposed Ordinance Revisions – Mr. Manning moved, seconded by Mr. Malinowski, to accept for information that the D&S Committee held this item in the D&S Committee. The vote in favor was unanimous.

Printing, Mailing, and Postal Services – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item with the stipend that the item not exceed the budgeted amount. The vote in favor was unanimous.

Purchase of John Deere Excavator – Ms. Kennedy stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF ADMINISTRATION AND FINANCE COMMITTEE

Bond Issuance-Capital Projects List – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

Crane Creek-Catalyst 5 Pedestrian Park-Parcel Acquisition – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item until the April 17th Council meeting. The vote in favor was unanimous.

An Ordinance Amending the Fiscal Year 2011-2012 Lower Richland Utilities Fund Budget to appropriate \$25,000 of User Fee Revenue for additional operational and maintenance costs of the Hopkins Community Water System [FIRST READING] – Mr. Malinowski moved, seconded by Ms. Dickerson, to defer this item until the April 17th Council meeting. The vote was in favor.

Richland County CASA Funding Agreement with SC Department of Social Services (SCDSS) – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

South Carolina State Employees Association (SCSEA) – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

Municipal Election Reimbursement IGA – Mr. Malinowski moved, seconded by Mr. Jackson, to approve this item with the addition of all expenses and to change the language in MOU before execution to ensure it is clear the City of Columbia is responsible for payment. A discussion took place.

The vote in favor was unanimous.

Report of Decker Center Space Allocation Committee:

- a. **Direct Administration to have the Design group draw Community Space and public restroom access inside the building for mixed use** – Mr. Manning stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

- b. **Direct Administration to have the Design group draw power outlets in the parking lot for "Community Center" event use** – Mr. Manning stated that the committee recommended approval of this item. A discussion took place.

The vote was in favor.

Decker Center Remodeling – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. A discussion took place.

The vote was in favor.

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

REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

I. DISCUSSION FROM RULES AND APPOINTMENTS COMMITTEE

- a. Council Member Individual Discretionary Account Motions** – Mr. Malinowski stated that this item was held in committee.
- b. Reviewing Committee Qualifications** – Mr. Malinowski stated that this item was held in committee.

OTHER ITEMS

Work Authorization re: 22M Option for Regional Recreation Complex – Mr. Jeter moved, seconded by Ms. Dickerson, to approve the allocation of funds in the amount of \$53,100 to proceed with the financial analysis. A discussion took place.

Mr. Livingston moved, seconded by Ms. Dickerson, to call for the question. The vote was in favor.

The vote in favor was unanimous to allocate \$53,100 to proceed with the financial analysis.

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

Report of the Airport Commission

- a. Curtiss-Wright Hangar** – Mr. Rose moved, seconded by Mr. Pearce, 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 8:42 p.m. and came out at approximately 9:00 p.m.
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- a. **Personnel Matter** – No action was taken.

MOTION PERIOD

Motion for a resolution in honor of Frank Houston for his 10 plus years of dedicated service to the Conservation Commission of Richland County [ROSE] – Mr. Malinowski moved, seconded by Ms. Dickerson, to adopt a resolution honoring Frank Houston for his service to the Conservation Commission. The vote in favor was unanimous.

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

Motion that Council institute Amy Barch's "Turning Leafs Project" at the Richland County Detention Center. This is a project designed to rehabilitate inmates to help them escape lives of crime and become productive citizens in the community [ROSE] – This item was referred to the D&S Committee

All committee items being sent to full Council will not automatically be placed on the consent agenda but be listed as First Reading items. The rationale is that only three persons could be present for the quorum and if all voted for the item it goes on the consent and this is only about 27% of Council [MALINOWSKI] – This item was referred to the Rules & Appointments Committee.

Cost estimates for any project will not be divulged in any reports until the bid process is complete. If Council desires that info it can be provided in Executive Session. The current way of showing these cost estimates only allows bidders to know an approximate area to bid in based on estimates rather than providing a true bid for services [MALINOWSKI] – This item was referred to the A&F Committee.

Proclamation in support of Cinco de Mayo Celebration [WASHINGTON] – Mr. Livingston moved, seconded by Mr. Manning, to adopt a proclamation supporting the Cinco de Mayo Celebration. The vote in favor was unanimous.

Motion for a resolution in honor of Gail McFall. Ms. McFall was a Richland County employee in the Clerk of Court's Office for over twenty years. Tragically, she passed away last month in an automobile accident. She will be remembered for her huge smile, enjoyment of life and larger than life personality [ROSE] – Mr. Pearce moved, seconded by Mr. Rose, to adopt a resolution honoring Gail McFall. The vote in favor was unanimous.

In an attempt to achieve a better fee for the citizens of Richland County and give opportunity for local vendors, I move that the County invite bids for the garbage operations in the SE area [JACKSON] – This item was referred to the D&S Committee.

Request staff provide a briefing to the County on the previous RFP relating to energy efficiency recommendations and decide if the County should re-issue a new RFP for potential County-wide energy saving solutions [DICKERSON] – This item was referred to the Economic Development Committee.

Council explore using other funding source supplementing large projects costing over a targeted amount to build so as not to exhaust H-Tax funds [JACKSON] – This item was referred to the A&F Committee.

“I move to give first reading, by title only, to an ordinance that would establish a temporary moratorium on the use of the Green Code Standards, which are found at Section 26-186 of the Richland County Code of Ordinances, in order to give staff time to address potential inconsistencies and ambiguities that may be found with that Section, and to advertise for a Public Hearing in conjunction with the Zoning Public Hearing on April 24, 2012, and that once the Public Hearing is advertised, to apply the Pending Ordinance doctrine.” Title of the Ordinance: “An Ordinance Establishing a Temporary Moratorium on the use of the Green Code Standards, which are found at Section 26-186 of the Richland County Code of Ordinances.” [HUTCHINSON] – Mr. Malinowski moved, seconded by Mr. Jackson, to give First Reading by title only to this item. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 9:15 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Damon Jeter

Bill Malinowski

Jim Manning

Paul Livingston

Seth Rose

The minutes were transcribed by Michelle M. Onley