

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 16, 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.

MEMBERS PRESENT:

Chair	Paul Livingston
Vice Chair	Damon Jeter
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Kit Smith
Member	Kelvin Washington

Absent: Gwendolyn Davis Kennedy
Joyce Dickerson

OTHERS PRESENT – Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Archeta, Joe Cronin, Stephany Snowden, Jennifer Dowden, Tamara King, Larry Smith, Kevin Etheridge, Dan Kim, Dale Welch, Anna Almeida, Andy Metts, George Rice, John Hixson, Jocelyn Jennings, Valeria Jackson, Paul Brawley, James Hayes, Lillian McBride, Monique Walters

CALL TO ORDER

The meeting was called to order at approximately 6:12 p.m.

INVOCATION

The Invocation was given by the Honorable Jim Manning

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Jim Manning

CITIZENS' INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: June 2, 2009 – Mr. Pearce moved, seconded by Ms. Hutchinson, to reconsider the portion of the minutes dealing with the FY09-10 Budget.

Mr. Malinowski stated that on p. 8 of the minutes the vote at the top of the page should be in favor instead of unanimous and to verify the amount for the Hospitality Tax funding allocation, on p. 13 Ms. Hutchinson's name was inadvertently not listed on the against vote at the top of the page and that the motion on the Roads and Drainage item be reviewed to determine the maker and second of the motion, and on p. 15 the vote was not reflected in the minutes for the item pertaining to the Floodplain Coordinator position.

Mr. Manning stated that the title for the last item on p. 17 of the minutes be reviewed to ensure that it accurately reflects the motion.

Mr. Livingston stated that the title for the first item on p. 7 should be...the SC State Museum Foundation instead of the SC State Museum.

Mr. Washington moved, seconded by Ms. Hutchinson, to defer approval of the portion of the minutes from Rules & Appointments dealing with the appointments for the Richland County/City of Columbia Animal Care Advisory Committee. The vote in favor was unanimous.

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

ADOPTION OF AGENDA

Mr. Pope stated that the purchase of property needs to added under the Report of the Attorney for Executive Session Items and the Report of the County Administrator.

Mr. Washington moved, seconded Ms. Hutchinson, to adopt the agenda as amended.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Farmers' Market Update**
- b. **Fire Contract Update**
- c. **Broad River WWTP**
- d. **Potential Purchase of Property**

REPORT OF THE COUNTY ADMINISTRATOR

Farmer's Market Update – This item was taken up during Executive Session.

Fire Contract Update – This item was taken up after Executive Session.

Change Order Request—Broad River WWTP – This item was taken up during Executive Session.

Employee Recognition: George Rice – Mr. Pope stated that this time would be deferred until the July 7th meeting.

Richland 101 Graduation – Ms. Dowden recognized the graduates and stated that this class included four County employees.

Ms. Heather Brown from Administration gave a brief overview of what she had learned during Richland 101.

Community Development Update – This item was discussed under the Report of the Stimulus Ad Hoc Committee.

REPORT OF THE CLERK OF COUNCIL

Renaissance Foundation's Marker Unveiling Ceremony for Historic Bethel A.M.E., June 19th, 11 a.m., 1528 Sumter Street; Luncheon immediately following at Seibels Bruce House & Gardens, 1601 Richland Street – Ms. Finch stated that the Renaissance Foundation extended an invitation to Council to attend the marker unveiling for the Historic Bethel A.M.E. on June 19th at 11 a.m. at 1528 Sumter Street. There will be a luncheon immediately following at the Seibels Bruce House & Gardens located at 1601 Richland Street. They have requested that Council R.S.V.P.

REPORT OF THE CHAIRMAN

Mr. Livingston stated that Ms. Dickerson and Ms. Kennedy were out of town on business; therefore, not present at tonight's meeting.

Mr. Pearce gave a brief report on his recent trip on the County's behalf to Washington, D. C.

PUBLIC HEARING ITEMS

None.

THIRD READING ITEMS

An Ordinance Amending the Fiscal Year 2008-2009 Hospitality Tax Budget to appropriate one hundred thousand dollars (\$100,000) to Historic Columbia for repairs to the Hampton Preston House – Mr. Pearce moved, seconded by Ms. Hutchinson, to approve this item. The vote in was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

- I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS, AND COMMITTEES**
 - a. Board of Assessment Appeals—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
 - b. Business Service Center Appeals Board—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
 - c. Community Relations Council—1** – Mr. Malinowski stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.
 - d. East Richland Public Service Commission—1** – Mr. Malinowski stated that the committee recommended advertising for this vacancy. The vote in favor was unanimous.
- II. Council Individual Discretionary Accounts** – Mr. Malinowski stated that the committee recommended that Council approve the policy guidelines. The vote in favor was unanimous.
- III. Revised Application** – Mr. Malinowski stated that the committee recommended approval of the proposed revised application.

Mr. Livingston requested to amend the application further by including a section indicating the applicant's Council District.

Mr. Malinowski accepted the amendment.

The revised application was approved as amended.

Fire Contract Extension – Mr. Pearce moved, seconded by Mr. Malinowski, to defer this item until after Executive Session.

Report of Stimulus Ad Hoc Committee

- a. **Community Development Block Grant (CDBG-R)** – Ms. Valeria Jackson stated that the Community Development will receive \$371,569. The funds will be used to stimulate the economy by selecting program that will immediately impact the County with shovel-ready activity and job creation. The projects that have been proposed are: The Rockgate Road Paving Project - \$200,000; Columbia Urban League - \$55,000; and Ridgewood Community Infill Residential Development - \$79,569.

Mr. Jackson moved, seconded by Mr. Malinowski, to authorize the County Administrator to draft, on behalf of the County, an endorsement letter to HUD for the CDBG-R projects.

- b. **Neighborhood Stabilization Program Round 2 (NSP2)** – Ms. Valeria Jackson stated this is a national competition for \$1.93 billion. Richland County in order to have the most competitive edge has collaborated with other strong partners throughout the State to submit one application Statewide. The leader agent will be the South Carolina State Housing Authority and Finance Development Group. The County has put in an initial draft request of \$5 million and will address up to 25 properties. The Statewide package will be \$30 million.

Mr. Pearce moved, seconded by Ms. Hutchinson, to authorize the County Administrator to forward a commitment letter to the State Housing Authority & HUD stating the County's assurance of providing 10% of the total grant amount (up to \$500,000) in local matching fund to Neighborhood Stabilization Program Round 2 projects.

The vote in favor was unanimous.

- c. **Energy Efficiency and Conservation Block Grant (EECBG)** – Mr. Cronin stated that this grant awarded through the Federal Stimulus Package through the Department of Energy. The funds are to be used for the energy efficiency and conservation projects. Richland County is a direct formula recipient of \$2,116,800.

A discussion took place.

to direct the County Administrator to apply on behalf of the County for

funds and to draft a letter of assurance to the DOE on how the funds will be used.

Reconsideration of FY 10 Budget – Mr. Brawley briefed Council on the updated millage numbers and an in depth discussion regarding the updated numbers took place.

Mr. Malinowski moved, seconded by Mr. Jackson, to re-affirm the 3rd Reading numbers with the exception of the Richland School District II. A discussion took place.

Mr. Jeter offered to amend the motion to include both school districts.

Mr. Malinowski accepted the amendment.

The vote was in favor.

Mr. Pope stated for the record that the 3rd Reading numbers for: the Recreation Commission, Midlands Technical College, Midlands Technical—Capital, Stormwater, Fire, General Fund, Library, Mental Health and the Zoo were re-affirmed.

Mr. Manning moved, seconded by Ms. Hutchinson, to amend the budget allocation for Richland School District II to the sum of \$115,741,891; which is the amount the County Auditor has represented as the amount equal to the millage cap for the upcoming year. The motion is made with the following provisos:

(1) Council will amend the budget for Richland I and Richland II to reflect its stated policy providing each of these School Districts with the maximum funding provided by Act 388;

(2) the Council requests that Richland County Auditor, Treasurer and other elected or appointed officials provide Administrator with the following information and that the Administrator cause his staff to review this information to confirm the calculations and estimates are appropriate to Council's lawful authority. Council further instructs the Administrator to confirm that this information has been delivered to him before July 1, 2009. The information is as follows:

- (a) the re-assessment values of the coming year,
- (b) millage calculations for 2007, 2008, 2009 including the worksheets utilized to derive those millage numbers,
- (c) the past 4 years of assessment value. This information to be broken out by year in the following manner:
 - (i) vehicles;
 - (ii) business personal property;
 - (iii) manufacturing;
 - (iv) joint industrial park;

- (v) transport equipment;
 - (vi) utilities;
 - (vii) watercraft;
 - (viii) aircraft;
 - (ix) real property—owner occupied 4%;
 - (x) other real property—non-owner occupied.
- (d) list the following by year:
- (i) Fee in lieu (list any new fee agreements)
 - (ii) Motor Carrier
 - (iii) Merchants inventory
- (e) Additionally, the following information from the Treasurer: the tax collections for tax years 2007, 2008 and 2009 (include the estimates to the year end) by property type:
- (i) vehicles;
 - (ii) business person property;
 - (iii) manufacturing;
 - (iv) joint industrial park;
 - (v) transport equipment;
 - (vi) utilities;
 - (vii) watercraft;
 - (viii) aircraft;
 - (ix) real property—owner occupied 4%
 - (x) other real property—non-owner occupied.
- (f) Also, the data for revenue from the following sources:
- (i) fee in lieu
 - (ii) motor carrier
 - (iii) merchants inventory

The total information should be provided Countywide and separately for Richland School Districts I and for Richland School District II. Council authorizes the Administrator to take any statutorily available action to ensure that this information is timely obtained.

- (3) That the amendment of the Budget of the School Districts to these ends be placed on the agenda for our regularly scheduled meeting on September 1, 2009 or at the first regularly scheduled meeting thereafter if the meeting does not take place on that date. The agenda item will read: A Budget Amendment to adjust the budgets for Richland County School District I and Richland County School District II to the amount which will be yielded by an assessment of the millage cap pursuant to Act 388. This item may be taken up by title only if

information necessary to complete the amendment to a precise number is unavailable.

- (4) That the Council also refer a policy adjustment on the handling of carry over funds to the Administration and Finance Committee for study and authorize staff to consult with or engage experts to assist in developing a proposal to modify the budget process so that Council can better manage millage agencies and the school districts as they are affected by Act 388.

The motion in regard to the school districts was approved unanimously.

Mr. Jackson moved, seconded Mr. Jeter, to approve \$200,000 per year for FY10 and FY11 for the Renaissance Foundation and to fund them an additional three years at \$100,000 per year through FY14 and to also to amend the Hospitality Tax budget to \$4,779,545. The vote was in favor.

CITIZENS' INPUT

Mr. Andy Koin spoke regarding homeowner violations.

EXECUTIVE SESSION ITEMS

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Council went into Executive Session at approximately 8:02 p.m. and came out at approximately 9:09 p.m.
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- a. **Farmers' Market Update** – Mr. Washington moved, seconded by Mr. Malinowski, to direct the County Administrator and the County Attorney to continue settlement negotiations.
- b. **Fire Contract Update** – Mr. Pearce moved, seconded by Mr. Jeter, to authorize the Administrator to move forward with the agreement.
- c. **Broad River WWTP** – Mr. Jeter moved, seconded by Mr. Washington, to instruct the Administrator to move forward as discussed in Executive Session.
- d. **Potential Purchase of Property** – Mr. Jackson moved, seconded by Ms. Hutchinson, to direct Administrator to proceed as discussed in Executive Session and to bring back to Council when ready.

MOTION PERIOD

Resolution recognizing Mr. Howard J. van Dijk for 30 years of service
[HUTCHINSON] – Ms. Hutchinson moved to adopt a resolution recognizing Mr. Howard J. van Dijk for 30 years of service. The vote in favor was unanimous.

Resolution honoring SC State University Convention, July 30-August 2

[WASHINGTON] – Mr. Smith moved to adopt a resolution honoring SC State University. The vote in favor was unanimous.

Sponsorship for the SC State University Convention, July 30-August 2

[WASHINGTON] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 9:14 p.m.

Paul Livingston, Chair

Damon Jeter, Vice-Chair

Gwendolyn Davis Kennedy

Joyce Dickerson

Valerie Hutchinson

Norman Jackson

Bill Malinowski

Jim Manning

L. Gregory Pearce, Jr.

Kit Smith

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley