

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MAY 7, 2013 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	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Norman Jackson
Member	Damon Jeter
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose
Member	Torrey Rush

OTHERS PRESENT – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Justine Jones, Amelia Linder, Dale Welch, Melinda Edwards, John Hixon, Sandra Haynes, James Hill, Sara Salley, Geo Price, Daniel Driggers, Quinton Epps, Ismail Ozbek, Tracy Hegler, Chanda Cooper, Rodolfo Callwood, David Hoops, Kendra Dove, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

INVOCATION

The Invocation was given by the Honorable Torrey Rush

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Torrey Rush

APPROVAL OF MINUTES

Regular Session: April 16, 2013 – Mr. Malinowski stated that on p. 2 of the minutes the vote was not noted for the reordering of the agenda.

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

Zoning Public Hearing: April 23, 2013 – Mr. Manning moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Washington requested that the Report of the Internal Audit Committee be added under "Other Items".

Ms. Dickerson moved to unanimously add the Report of the Internal Audit Committee. The vote in favor was unanimous.

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

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

Mr. Farrar stated that the following was a potential Executive Session Item:

- a. **Norfolk Southern vs. Richland County** – No action was taken.
- b. **Samuel Brick vs. Richland County** – No action was taken.

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Council went into Executive Session at approximately 6:10 p.m. and came out at approximately 6:41 p.m.
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CITIZENS' INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

Transportation Penny Advisory Committee Ex-Officio Recommendations – Mr. Malinowski moved, seconded by Mr. Rose, to approve the Administrator's recommendations. The vote in favor was unanimous.

Public Works Week Proclamation Presentation – Mr. Hoops stated that Public Works Week is May 19-25 and gave a brief overview of the upcoming Public Works Week activities.

Parking Meter Update – Mr. McDonald stated that the parking meters have been removed.

Budget Timeline – Mr. McDonald gave an outline of the upcoming budget meetings.

Website Update – Mr. McDonald stated the website update has been completed and invited Council members to make arrangements with IT staff to preview the website before it goes live.

Curtiss-Wright Hangar – Mr. McDonald stated the negotiations have been completed and the proposed contract will be presented to Council at the May 21st Council meeting.

REPORT OF THE CLERK OF COUNCIL

SCAC Annual Conference Reminder – Ms. Onley reminded those Council members planning to attend the SCAC Conference to contact the Clerk's Office in order to secure accommodations at the host hotel.

REPORT OF THE CHAIRMAN

No report was given.

PRESENTATIONS

National Tourism Week Proclamation-Ric Luber – Mr. Washington presented Mr. Luber with a proclamation in honor of National Tourism Week.

Bark to the Park Award – Richland County was presented with the Annual Bark to the Park award.

OPEN/CLOSE PUBLIC HEARINGS

- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article V, Rehabilitated Historic Properties; so as to reflect the 2010 Amendments made to Section 4-9-195 of the South Carolina Code of Laws, 1976, as amended; and to more closely align the County's ordinance with that of the City of Columbia** – Ms. Robin Waites and Mr. Richard Burts spoke in favor of this item.
- **A Resolution Authorizing the East Richland County Public Service Commission to incur not exceeding \$10,000,000 of General Obligation indebtedness and other related matters** – Mr. John Hudgens and Mr. Sam Howell spoke in favor of this item.

APPROVAL OF CONSENT ITEM

- **Building Safety Month Proclamation**
- **Lease Agreement with Clemson and Sandhill Research Center**

- Reallocation of Funds for Cemetery Survey
- Adoption of the following Four Resolutions from the April 2, 2013 Council Meeting: (1) A Resolution Honoring Ginny Waller as the 2013 recipient of the Francis Marion University and SC Association of Nonprofit Organizations' (SCANPO) Award [MANNING]; (2) Resolution Honoring Deputy Sheila Aull for heroism in the line of duty and honoring the Cedar Creek Community for their donation of \$1,500 to purchase additional lifesaving vests for deputies [DICKERSON]; (3) Resolution to recognize Richland County as a Purple Heart County [WASHINGTON]; (4) Resolution recognizing Cameron Wesley as the first African American Postmaster in the Town of Whitmire [JACKSON] – Ms. Dickerson moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.
- Agencies funded by Richland County discussing budgetary decisions are subject to have Richland County staff present
- An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$63,801 of General Fund Unassigned Balance for purchase of equipment for the Richland County Treasurer's Office [FIRST READING]
- Reallocation of Appearance Commission Funding for Hilton Field Improvements

Mr. Manning moved, seconded by Mr. Malinowski, to approve the consent item. The vote in favor was unanimous.

THIRD READING

An Ordinance Amending the Richland County Code of Ordinances, Chapter 23, Taxation; Article V, Rehabilitated Historic Properties; so as to reflect the 2010 Amendments made to Section 4-9-195 of the South Carolina Code of Laws, 1976, as amended; and to more closely align the County's ordinance with that of the City of Columbia – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

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

REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

Use of Eminent Domain to Acquire Property for Completion of Monticello Road Streetscape Construction – Mr. Manning moved, seconded by Mr. Livingston, to defer this item. The vote in favor was unanimous.

New Road for the Brookfield Subdivision – Ms. Dickerson moved, seconded by Mr. Malinowski, to defer this item. The vote in favor was unanimous.

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to approve and appropriate \$324,000 of General Fund Unassigned Balance for Legal Services in the Legal Department [FIRST READING] – Mr. Rose moved, seconded by Mr. Malinowski, to back out the amount related to the Election Commission and approve the remaining items. A discussion took place.

Mr. Pearce made a substitute motion, seconded by Ms. Dickerson, to divide the question.

<u>For</u>	<u>Against</u>
Dixon	Washington
Malinowski	Livingston
Jackson	Jeter
Rose	
Pearce	
Dickerson	
Rush	
Manning	

The vote was in favor of dividing the question.

Mr. Pearce moved, seconded by Ms. Dickerson, to approve payment of the legal fees with the exclusion of the Election Commission legal fees. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Ms. Dickerson, to defer action on the Election Commission legal fees until a report is provided by the County Attorney with detailed information as to what the County is being requested to pay for.

<u>For</u>	<u>Against</u>
Dixon	Jackson
Malinowski	Washington
Rose	Livingston
Pearce	Jeter
Dickerson	
Rush	
Manning	

The vote was in favor of deferral.

Request funds to purchase 12 ½ acres of land adjacent to Friarsgate Park in District 1 – Mr. Livingston moved, seconded by Ms. Dickerson, to forward this item to the budget process. A discussion took place.

The vote in favor was unanimous.

Richland County Sheriff's Department Sole Source Purchase iRobot PackBot – Mr. Livingston moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

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

An Ordinance Approving a budget for and the distribution of the revenues from the one percent (1%) sales and use tax for transportation projects for Fiscal Year 2013-2014 and other matters related thereto [FIRST READING] – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

FIRST READING ITEMS

An Ordinance to raise revenue, make appropriations, and adopt a budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2013 and ending June 30, 2014 [BY TITLE ONLY] – Ms. Dickerson moved, seconded by Mr. Livingston, to approve this item. The vote in favor was unanimous.

An Ordinance Authorizing the levying of ad valorem property taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2013, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2013, through June 30, 2014 – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

An Ordinance Authorizing the East Richland County Public Service Commission to incur not exceeding \$10,000,000 of General Obligation indebtedness and the levy of ad valorem property taxes in the East Richland County Public Service District to pay debt service thereon – Mr. Manning moved, seconded by Mr. Pearce, to approve this item. A discussion took place.

The vote in favor was unanimous.

OTHER ITEMS

A Resolution Authorizing the East Richland County Public Service Commission to incur not exceeding \$10,000,000 of General Obligation indebtedness and other related matters – Mr. Pearce moved, seconded by Mr. Livingston, to approve this item. The vote was in favor.

Report of the Decker Center Ad Hoc Committee:

- a. **Project Manager Contract Approval** – Mr. Manning stated that the committee's recommendation was to approve the contract with Brownstone. A discussion took place.

Mr. Livingston offered a friendly amendment to require the County Attorney and County Administrator to review the contract prior to execution.

Mr. Manning accepted the friendly amendment.

Mr. Livingston called for the question, seconded by Mr. Pearce. The vote was in favor of calling for the question.

The vote in favor of the amended recommendation was unanimous.

Report of the Jail Ad Hoc Committee – Mr. Rose stated that the committee recommended the following: (1) gradual scale for detention officers, pay incentives, promotions; (2) addition of mental health employee; and (3) conduct an independent audit/study of jail operations and management. A discussion took place.

Mr. Livingston moved, seconded by Mr. Rose, to take up the gradual scale, pay incentives, promotions and addition of mental health employee during the budget process. A discussion took place.

The vote in favor of the amended recommendation was unanimous.

Small Local Business Enterprise (“SLBE”) Program – Mr. Washington moved, seconded by Mr. Jackson, to defer this item and bring back the document redlined. The vote in favor was unanimous.

Internal Audit Committee – Mr. Washington stated that the committee recommended the following departments to be audited with the caveat that the FOIA policy and timekeeping policy will be incorporated to insure that they’re being consistently utilized: (1) Procurement, (2) Public Works, (3) Utilities, (4) IT, and (5) Legal. The vote in favor was unanimous with Mr. Manning recusing himself.

CITIZEN’S INPUT

No one signed up to speak.

MOTION PERIOD

Resolution in Support of “Relook of Award for Upgrade” to the Medal of Honor for Silver Star recipient Colonel William P. Collier, Jr., USA (Ret.) [WASHINGTON] – The resolution was unanimously adopted.

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

Resolution Honoring Verna Hatten’s 100th Birthday [DICKERSON] – The resolution was unanimously adopted.

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

Move that all outside agencies in the Contractual & Statutory portion of the Richland County budget be required to submit a written annual report due no later than January 31st of each year that provides a full accounting as to how County appropriations were spent during the previous fiscal year ending on June 30th. Currently, no such accounting has been requested nor is required by ordinance. Certain agency exemptions from this policy may be granted at County Council's discretion upon written request of the agency [PEARCE] – This item was referred to the budget process.

I move that we immediately fund the new facilities that have been completed and waiting to be staffed and operated at the Recreation Commission [JACKSON & DICKERSON] – This item was referred to the A&F Committee.

Move that the Recreation Commission provide County Council a detailed, line item, park by park financial analysis of funds they deem necessary to open the parks they maintain that they are unable to open within their existing County millage allocation. In addition, I would request that the Recreation Commission provide County Council a detailed report on all cost saving measures initiated to address their financial shortfalls. These data should be prepared and presented to Council prior to consideration of additional funding for the Recreation Commission [PEARCE] – This item was referred to the A&F Committee.

All agencies that receive funding from Richland County should all submit a copy of their 990 along with their request [DIXON] – This item was referred to the A&F Committee.

ADJOURNMENT

The meeting adjourned at approximately 8:25 p.m.

Kelvin E. Washington, Sr., Chair

L. Gregory Pearce, Jr., Vice-Chair

Joyce Dickerson

Julie-Ann Dixon

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Seth Rose

Torrey Rush

The minutes were transcribed by Michelle M. Onley