

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, JUNE 19, 2007 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	Joseph McEachern
Vice Chair	Valerie Hutchinson
Member	Joyce Dickerson
Member	Norman Jackson
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Mike Montgomery
Member	L. Gregory Pearce, Jr.
Member	Bernice G. Scott
Member	Kit Smith

OTHERS PRESENT - Milton Pope, Tony McDonald, Stephany Snowden, Jennifer Dowden, Tamara King, Joe Cronin, Larry Smith, Amelia Linder, Teresa Smith, Dale Welch, Michael Criss, Jennie Sherry-Linder, Anna Almeida, Daniel Driggers, John Hixon, Tiaa Rutherford, Chief Harrell, 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 Valerie Hutchinson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Valerie Hutchinson

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson asked that a moment of silence be observed in honor of the nine firefighters that were lost in Charleston.

POINT OF PERSONAL PRIVILEGE – Mr. McEachern recognized that Dr. Charles Young, President of Allen University, was in the audience.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: June 5, 2007 – Ms. Hutchinson moved, seconded by Mr. Malinowski, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the agenda as distributed. The vote in favor was unanimous.

REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION MATTERS

The following items were potential Executive Session items:

- a. **Jeffrey O'Cain**
- b. **NE Sanitary Landfill vs. Richland County**
- c. **TIF Update**
- d. **Potential Sale of Property**
- e. **Employee Grievances**
- f. **Personnel Matter**
- g. **Farmer's Market**

Ms. Smith moved, seconded by Mr. Pearce, to move Executive Session until after Citizen's Input. The vote in favor was unanimous.

REPORT OF THE COUNTY ADMINISTRATOR

Employee Grievances – A discussion took place.

Ms. Hutchinson moved, seconded by Ms. Scott, to uphold the Administrator's recommendation. The vote in favor was unanimous.

Animal Care Press Conference – Mr. Pope stated that the press conference was held with the City of Columbia to memorialize the resolutions that both parties had passed.

The MOU should be finalized next week.

Transportation Committee Update – Mr. Pope stated that Mr. Cronin was continuing to staff this Committee. The first technical document has been sent to the committees and they will be meeting to discuss those items. There has been a change in leadership on the project at Parsons Brinkerhoff. The committee has been notified of this change.

Detention Center Volunteer of the Year Award – Mr. Pope stated that this item would be postponed due to the recipient's illness.

REPORT OF THE CLERK OF COUNCIL

Electronic Agenda Software (already distributed) – Mr. McEachern stated that this information was included in the last two Friday reports.

REPORT OF THE CHAIRMAN

Animal Shelter Agreement with the City of Columbia – Ms. Hutchinson reported on the press conference that was held and commended the City and County and staff on working so diligently on this project.

PUBLIC HEARING ITEMS

- **Recommendation from the Planning Commission to Amend the Comprehensive Plan for Incorporating “The Renaissance Plan for the Decker Boulevard/Woodfield Park Area” into the I-20 Corridor Subarea Plan**
– No one signed up to speak.

APPROVAL OF CONSENT ITEMS

Ms. Hutchinson moved, seconded by Mr. Jeter, to approve the following consent items:

- **Recommendation from the Planning Commission to Amend the Comprehensive Plan for Incorporating “The Renaissance Plan for the Decker Boulevard/Woodfield Park Area” into the I-20 Corridor Subarea Plan** [Third Reading]
- **07-26MA, Dovetail Development, RM-MD to RM-HD, Multi-Family Dwellings, TMS#13607-02-01, Shop Road** [Third Reading]
- **07-29MA, Farrow Road Joint Venture, HI to GC, Mixed Use, TMS#17200-03-01(p)/13/21/28/19 and TMS#17211-01-01(p)/07/09 and TMS#17206-02-01, I-77 & Farrow Road** [Third Reading]
- **Midlands Technical College: Request for Multi-County Industrial Park Status** [Third Reading]
- **An Ordinance Authorizing the Amendment of a Development Agreement between Richland County, South Carolina and Lake Carolina Development, Inc. to reflect the addition of land to the Lake Carolina PUD-2** [Second Reading]

- **An Ordinance Authorizing the granting of a sewer easement to the City of Columbia across County-owned property on Elder's Pond Drive [Second Reading]**
- **An Ordinance Authorizing the Granting of a Water Line Easement to the City of Columbia Across County-Owned Property on Elder's Pond Drive [Second Reading]**

The vote in favor was unanimous.

THIRD READING

07-28MA, Bunch/Lower Richland PDD, RU to PDD, Mixed Use Development, TMS#21800-01-06, Garners Ferry Road & Lower Richland Boulevard – Mr. Jackson moved, seconded by Ms. Scott, to approve this item as amended. The vote in favor was unanimous.

SECOND READING

An Ordinance Providing for Entering into a Tax-Exempt Lease Purchase Transaction of not exceeding \$3,700,000 and a Sublease with Allen University, to Prescribe the Purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters pertaining thereto – A discussion took place.

Mr. Jeter moved, seconded by Ms. Scott, to approve this item. The vote in favor was unanimous.

FIRST READING

An Ordinance Authorizing Special Source Revenue Bonds not to exceed \$1,000,000 payable from fee-in-lieu of tax revenues generated from properties within the I-77 Corridor Regional Industrial Park; the proceeds to be used to finance improvements in the Northpoint Industrial Park – Mr. Jeter moved, seconded by Ms. Hutchinson, to approve this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Richland County and Kolorpro's Lower Richland Business Improvement Plan Continuation – Mr. Jeter stated that the committee brought this item forward to Council for discussion, but the item was to remain in committee. A discussion took place.

The committee recommended holding a work session. This item was referred to the motion period.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

- a. **Central Midlands Council of Governments—3** – Mr. Livingston stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- b. **Community Relations Council—3** – Mr. Livingston stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- c. **Employee Grievance Commission—2** - Mr. Livingston stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- d. **Library Board of Trustees—4** - Mr. Livingston stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.
- e. **Music Festival Commission—2** - Mr. Livingston stated that the committee recommended that staff advertise for these vacancies. The vote in favor was unanimous.

II. NOTIFICATION OF VACANCIES

- a. **Board of Assessment Appeals—1** – Mr. Livingston stated that there were no applicants for this vacancy and that the committee recommended re-advertising for this vacancy.
- b. **Board of Zoning Appeals—1** – Mr. Livingston stated there were two applicants and one vacancy.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Ms. Dickerson, Ms. Smith, and Ms. Scott voted for Mr. Torrey Rush.

Mr. Livingston voted for Mr. Preston M. Young.

Mr. Torrey Rush was appointed.

- c. **Building Codes Board of Adjustments—1** – Mr. Livingston stated there was one applicant and one vacancy. The committee's recommendation was to appoint Mr. Monte A. Lammon. The vote in favor was unanimous.

- d. **Central Midlands RTA—4** – Mr. Livingston stated there were four vacancies. The committee recommended re-appointing L. Edward Judice and to refer review of the term limits in the existing ordinance back to committee for further discussion. The vote in favor was unanimous.
- e. **East Richland Public Service Commission—2** – Mr. Livingston stated there was one applicant and two vacancies. The committee’s recommendation was to re-appoint Ms. Catherine Schemel Cook and re-advertise for the other vacancy. The vote in favor was unanimous.
- f. **Performing Arts Center Board—1** – Mr. Livingston stated there was one applicant and one vacancy. The committee’s recommendation was to appoint Ms. Mary Skinner-Jones. The vote in favor was unanimous.

III. Amendments to Council Rules – The committee recommended accepting the committee’s amendments to the rules. Ms. Smith referred to the committee for further review the issue of how items defeated, not acted on, or not forwarded to Council within 90 days should be handled.

IV. Riverbanks Zoo and Garden RC Appointment – This item was held in committee.

Ordinance for the Architectural Review Board – This item was held in committee.

CITIZEN’S INPUT

Ms. Debra Johnson, Ms. Dawn Mathis, Lt. Lancy Weeks, Ms. Laura Hudson, Ms. Cathy Peterson, Ms. Sylvia Allen, and Ms. Rosanell Washington spoke regarding Victim’s Assistance Budget.

EXECUTIVE SESSION ITEMS

Mr. Pearce moved, seconded by Mr. Livingston, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 7:02 p.m. and came out at approximately 8:51 p.m.
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Mr. Livingston moved, seconded by Ms. Scott, to come out of Executive Session. The vote in favor was unanimous.

- a. **Jeffrey O’Cain** – Mr. Montgomery moved, seconded by Ms. Hutchinson, to authorize counsel to move forward with the settlement proposal that was discussed in Executive Session. The vote in favor was unanimous.
- b. **NE Sanitary Landfill vs. Richland County** – No action was taken.
- c. **TIF Update** – No action was taken.
- d. **Potential Sale of Property** – Mr. McEachern requested staff to proceed as directed in Executive Session
- e. **Personnel Matter** – No action was taken
- f. **Farmers’ Market** – No action was taken.

MOTION PERIOD

Victim’s Assistance Funding – Ms. Scott referred to the A&F Committee a proposal to fund Victim’s Assistance at \$1,054,660.00 by adding an additional \$610,308.00 to the Victim’s Assistance budget for FY07-08.

Outside Attorneys – Mr. Jeter directed the County Administrator and County Attorney to develop a RFQ for attorneys and law firms that are interested in providing legal services to the County that require outside counsel. The directive was forwarded to the A&F Committee.

Rules for Deferral Voting – Mr. Malinowski referred to the Rule & Appointment Committee investigation of the voting rules on a deferral item.

Effects of Motions on Staff – Mr. Livingston referred to the Rules & Appointment Committee the effect and impact motions directed to the Administrator have on overall resources.

Kolorpro Lower Richland Business Improvement Plan Work Session – Ms. Scott requested that a work session be scheduled as soon as possible.

Franchise Fee Assessment – Mr. Malinowski referred to the D&S Committee the consideration of Richland County assessing franchise fees for the installation or extension of utilities within Richland County based upon the 10-Year Future Land Use Classes.

Water District – Mr. Jackson referred to the D&S Committee the matter of declaring the unincorporated areas of Richland County a water district.

Evaluation of Detention Center – Mr. Jackson referred to the A&F Committee the review of the policies and procedures of the Detention Center and to investigate the possibility of having the Sheriff's Department oversee the operation of the Detention Center.

ADJOURNMENT

The meeting adjourned at approximately 9:00 p.m.

Joseph McEachern, Chair

Valerie Hutchinson, Vice-Chair

Joyce Dickerson

Norman Jackson

Damon Jeter

Paul Livingston

Bill Malinowski

Mike Montgomery

L. Gregory Pearce, Jr.

Bernice G. Scott

Kit Smith

The minutes were transcribed by Michelle M. Onley