

MINUTES OF



RICHLAND COUNTY COUNCIL SPECIAL CALLED MEETING TUESDAY, JULY 24, 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 – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Roxanne Matthews, Stephany Snowden, Jennifer Dowden, Tamara King, Amelia Linder, Teresa Smith, Michael Criss, Jennie Sherry-Linder, Anna Almeida, Brenda Carter, Geo Price, Will Simon, Audrey Shifflett, Chief Harrell, Pam Davis, Paige Greene, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:06 p.m.

INVOCATION

The Invocation was given by the Honorable Joyce Dickerson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joyce Dickerson

PRESENTATION OF RESOLUTIONS

Resolutions for Act of Heroism: Miesha Walton and Adriana Creech – Mr. Jackson presented Ms. Walton and Ms. Creech with resolutions in recognition of their heroism.

CITIZEN'S INPUT

No one signed up to speak.

APPROVAL OF MINUTES

Regular Session: July 10, 2007 – Ms. Scott disputed the portion of the minutes regarding item 07-32MA, Seven Acre Cut, LLC, Patrick Palmer, M-1 to GC (20.10 Acres), General Commercial, 14600-03-16(p), I-77 & Killian Road.

Ms. Smith recommended reconsidering the vote on that item.

POINT OF ORDER – Mr. Pearce inquired if this item could be reconsidered for 2nd Reading and then given 3rd reading during tonight's meeting. Ms. Linder ruled that the item would not be allowed to be given 3rd reading if the item was reconsidered.

Mr. Pearce moved, seconded by Ms. Hutchinson, to approve the minutes with the following recommended notation by Ms. Smith: there was a discrepancy and dispute about the minutes that could not be reconciled. Ms. Scott clearly wishes to abstain from this item because of a legal conflict. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Pope requested that a TIF Update and a Potential Purchase of Property be added under the Report of the County Attorney for Executive Session Items.

Mr. Jeter moved, seconded by Mr. Jackson, to add those Executive Session items and move Executive Session until after Citizens Input.

Ms. Finch stated that Item 1.f. needed to be removed from the agenda.

Mr. Jackson moved, seconded by Ms. Scott, to approve 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. **Farmers' Market**
- b. **TIF Update**

c. **Potential Purchase of Property**

REPORT OF THE COUNTY ADMINISTRATOR

Death of Robert Dean's Son – Mr. Pope stated that Mr. Robert Dean's son had drowned in the family pool. Mr. Dean is a part-time employee with the Coroner's Office.

CASA National Diversity Award – Ms. Snowden introduced CASA and recognized them for receiving a national diversity award. CASA did a brief presentation.

POINT OF PERSONAL PRIVILEGE – Ms. Dickerson congratulated Paige Greene on her recent marriage.

REPORT OF THE CLERK OF COUNCIL

National Guard Tour of Facilities – Mr. Jackson stated that McEntire Air National Guard would like to give Council a tour of their facilities.

September Meeting Schedule – Ms. Finch stated that the first meeting in September falls the day after Labor Day and inquired if Council wished to reschedule the first meeting until the second Tuesday in September.

Association of Counties Packets – Ms. Finch stated that everyone had been given their packets for the Association of Counties.

REPORT OF THE CHAIRMAN

Air Quality Resolution – This item was deferred until a copy of a draft resolution could be distributed to Council members.

PUBLIC HEARING ITEMS

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to standardize this section to Business License Ordinances Statewide** – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

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

- **An Ordinance Authorizing the 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 [Third Reading]

- **07-24MA, Richland County Council, RU to TROS: 20500-06-22 (Columbia Country Club) & 23400-05-05 (Golf Club of South Carolina a/k/a Crickentree) & 08100-02-05 & 08000-02-07 & 08000-02-12 (Linrick Golf Course) and RS-LD to TROS: 16704-03-01 (Forest Lake Club) & 20010-01-05 (Spring Valley Country Club) & 22716-01-01 (Wildewood Country Club) & 20406-02-01 & 02406-02-02 (Windermere Club) & 25703-01-01 (Woodlands Country Club) [Third Reading] {Ms. Scott abstained from voting on this item}**
07-30MA, Retreat Columbia, RU/M-1 to RM-HD (21.25 Acres), Multi-Family Dwellings, 11115-06-02 & 11100-01-10(p), Barnes & Riley Street [Third Reading]
- **07-33, Mark Jeffers, RU to GC (1.11 acres), General Commercial, 28800-04-05, Percival Rd. & Spears Creek Church Road [Third 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 [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to standardize this section to Business License Ordinances Statewide [Third Reading]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article 1, Regulations Regarding County Owned or Leased Property; Section 17-2, parking on County Office Property; subparagraph (A)(6); so that the County Finance Department will determine and set the cost for a parking decal [Second Reading]**

The vote in favor was unanimous.

07-24MA, Richland County Council, RU to TROS: 20500-06-22 (Columbia Country Club) & 23400-05-05 (Golf Club of South Carolina a/k/a Crickentree) & 08100-02-05 & 08000-02-07 & 08000-02-12 (Linrick Golf Course) and RS-LD to TROS: 16704-03-01 (Forest Lake Club) & 20010-01-05 (Spring Valley Country Club) & 22716-01-01 (Wildewood Country Club) & 20406-02-01 & 02406-02-02 (Windermere Club) & 25703-01-01 (Woodlands Country Club) – Ms. Hutchinson moved, seconded by Mr. Malinowski, to reconsider this item. The motion failed.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; Article 1, in general; so as to standardize this section to Business License Ordinances Statewide – Mr. Montgomery moved, seconded by Ms. Hutchinson, to reconsider this item. The motion failed.

THIRD READING

07-32MA, Seven Acre Cut, LLC, Patrick Palmer, M-1 to GC (20.10 Acres), General Commercial, 14600-03-16(p), I-77 & Killian Road – Mr. Montgomery moved, seconded by Mr. Pearce, to approve this item. A discussion took place.

| <u>In Favor</u> | <u>Oppose</u> | <u>Abstain</u> |
|-----------------|---------------|----------------|
| Pearce | Malinowski | Scott |
| Jackson | Hutchinson | |
| Jeter | McEachern | |
| Livingston | | |
| Dickerson | | |
| Smith | | |
| Montgomery | | |

SECOND READING

An Ordinance amending the Richland County Code of Ordinances, Chapter 2, Administration; Article III, Administrative Offices and Officers; Division 3, Assistant County Administrator – Mr. Montgomery moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

I. NOTIFICATION OF VACANCIES ON BOARDS, COMMISSIONS AND COMMITTEES

- a. **Lexington/Richland Alcohol and Drug Abuse Council—1** – Mr. Montgomery stated that the committee recommended that staff advertise for this vacancy. The vote in favor was unanimous.

II. NOTIFICATION OF VACANCIES

- a. **Central Midlands Council of Governments—3** – Mr. Montgomery stated that there was one applicant for these vacancies. The committee recommended appointing Mr. Kenneth M. Moffitt and to re-advertising for the remaining vacancies. The vote in favor was unanimous.
- b. **Community Relations Council—3** – Mr. Montgomery stated there were two applicants and three vacancies. The committee recommended appointing Ms. Donna Slack Bulger and Ms. Prentiss McLaurin and re-advertising for the remaining vacancy. The vote in favor was unanimous.
- c. **East Richland Public Service Commission—1** - Mr. Montgomery stated there was one applicant and one vacancy. The committee's

recommendation was to re-appoint Ms. Diane E. Sumpter. The vote in favor was unanimous.

- d. **Employee Grievance Committee—2** – Mr. Montgomery stated there were two applicants and two vacancies. The committee recommended appointing Mr. Richard Evans and Ms. Kim Little. The vote in favor was unanimous.
- e. **Library Board of Trustees—4** -- Mr. Montgomery stated there were five applicants and four vacancies.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Mr. Livingston, Ms. Smith, Ms. Scott and Mr. Montgomery voted for Mr. Kirby Darn Shealy, III.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Ms. Dickerson, Ms. Smith, Ms. Scott and Mr. Montgomery voted for Mr. Jack Godbold.

Mr. Malinowski, Mr. Jackson, Ms. Hutchinson, Mr. McEachern, Ms. Dickerson, Ms. Smith, Ms. Scott and Mr. Montgomery voted for Mr. Robert Gahagan.

Mr. Pearce, Mr. Malinowski, Mr. Jackson, Mr. Jeter, Ms. Hutchinson, Mr. McEachern, Mr. Livingston, Ms. Dickerson, Ms. Smith, Ms. Scott and Mr. Montgomery voted for Ms. Gloria Graham Boyd.

Mr. Pearce, Mr. Jeter, Mr. Livingston, and Ms. Dickerson voted for Mr. Nathaniel A. Barber.

Mr. Kirby Darn Shealy, Mr. Jack Godbold, Mr. Robert Gahagan, and Ms. Gloria Graham Boyd were appointed.

- f. **Music Festival Commission—2** – Mr. Montgomery stated there were one applicant and two vacancies. The committee recommended appointing Ms. Jan M. Baker and re-advertising for the remaining vacancy. The vote in favor was unanimous.

- III. **CENTRAL MIDLANDS RTA TERM AND MIDLANDS REGIONAL CONVENTION CENTER AUTHORITY** – This item was held in committee.
- IV. **RIVERBANKS ZOO AND GARDEN RICHLAND COUNTY APPOINTMENT** – The committee recommended approving the resolution. The vote in favor was unanimous.
- V. **ORDINANCE FOR THE ARCHITECTURAL REVIEW BOARD** – This item was held in committee.

- VI. **DRAFT POLICY FOR SPONSORSHIP TABLES** – This item was held in committee.
- VII. **POLICY FOR MOTIONS MADE DURING MOTION PERIOD** – This item was held in committee.

Air Quality Resolution – Ms. Hutchinson moved, seconded by Ms. Scott, to approve the resolution. The vote was in favor.

Mr. Montgomery moved, seconded by Mr. Livingston to recess the meeting until after the Zoning Public Hearing. The meeting recessed at approximately 7:00 p.m.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Request for Manufacturer's Exemption from County Millage for 2006 for Allied Concrete Products of South Carolina – Mr. Jeter stated that the committee recommended approving this item. A discussion took place.

The vote in favor was unanimous.

APPLICATION FOR LOCATING A COMMUNITY RESIDENTIAL CARE FACILITY

Brenda Price, 528 Atterbury Drive, Columbia, South Carolina 29203 – Ms. Scott moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

APPROVAL OF RESOLUTION

A Resolution Authorizing a Petition to the State Budget and Control Board of South Carolina for its approval of not to exceed \$3,000,000 Principal Amount Richland County, South Carolina Special Source Revenue Bond (Vulcan River Road Project) in one of more series; such undertaking pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended; and providing for other matters relating thereto. – Ms. Scott moved, seconded by Ms. Hutchinson, to approve this item. The vote was in favor.

GRANT ACCEPTANCE

Acceptance of a Community/Economic Grant in the amount of (\$20,000) from SCANA for the Staples economic development project – Ms. Hutchinson moved, seconded by Mr. Jeter, to approve this item. A discussion took place.

The vote in favor was unanimous.

ITEMS REFERRED FROM ADMINISTRATION AND FINANCE COMMITTEE

Coroner's Office: Request to renew the contract with Professional Pathology Services and to encumber initial funds of \$270,000.00 for autopsy and exam services – Ms. Smith stated that the committee recommended approval of this item. The vote in favor was unanimous.

Sponsorship Requests: Central Midlands Council of Governments: 2007 Regional Leadership Award Banquet – Ms. Smith stated that the committee recommended sponsorship of this item. The vote in favor was unanimous.

An ordinance amending the Fiscal Year 2007-08 General Fund Annual Budget so as to establish a manufactured mobile home registration fee of \$25 per registration to defray the cost of location, identification, and inspection of derelict manufactured and mobile homes and to appropriate five-thousand dollars (\$5,000) to the general fund annual budget – Ms. Smith stated that the committee recommended approval of this item. The vote in favor was unanimous.

Request to renew a contract with Carolina Care Plan for employee health insurance – Ms. Smith stated that the committee recommended approval of this item. The vote in favor was unanimous.

Request to renew a contract with MetLife for employee life and dental insurance – Ms. Smith stated that the committee recommended approval of this item. The vote in favor was unanimous.

Sheriff's Department: Request to approve acceptance of a Gang Enforcement Investigations Program Grant (Personnel required/No financial match) – Ms. Smith stated that the committee recommended approval of this item pending an agreement with the Sheriff's Department on limiting the County's exposure to continue this at the time that the grants expire. The vote in favor was unanimous.

Sheriff's Department: Request to approve acceptance of an DNA Grant (Personnel required/No financial match) – Ms. Smith stated that the committee recommended approval of this item pending an agreement with the Sheriff's Department on limiting the County's exposure to continue this at the time that the grants expire. The vote in favor was unanimous.

Sheriff's Department: Request to approve acceptance of equipment grants (No personnel/\$29,388 match) – Ms. Smith stated that the committee recommended approval of this item. The vote in favor was unanimous.

Sheriff's Department: Request to approve requisitions for fuel, communications, and vehicle services – Ms. Smith stated that the committee recommended approval of this item. The vote in favor was unanimous.

Request to consider a policy that would give each council member a minimum of \$25,000 and a maximum of \$50,000 in undesignated hospitality tax funds for at least one project located within each council district – Ms. Smith stated that the committee recommended dividing the Hospitality Tax grant allocation into two awards and the committee to provide recommendations on whether or not incorporated areas would be eligible to apply for the grants. The vote in favor was unanimous.

ITEMS REFERRED FROM DEVELOPMENT AND SERVICES COMMITTEE

Extension of temporary receivership agreement for the operation of the Franklin Park water and sewer systems and the Albene Park water system – Mr. Jackson stated the committee recommended approval of this item. The vote in favor was unanimous.

Request to accept a conservation easement from Mr. G. P. Monroe and Mrs. Virginia Monroe for 70 acres located in the Pontiac Community – Mr. Jackson stated the committee recommended approval of this item. The vote in favor was unanimous.

Request to approve four firms (Kimley Horn & Associates; URS; Jordan Jones & Goulding; Fuss & O'Neill) as pre-qualified vendors for planning consulting services related to the update of the Imagine Richland 2020 Comprehensive Plan – Mr. Jackson stated the committee recommended approval of this item. The vote in favor was unanimous.

Request for approval to sign and process the Declaration of Covenant with the City of Columbia to allow for future annexation of the Elders Pond EMS/Fire Station – Mr. Jackson stated the committee recommended approval of this item. The vote was in favor.

Request to authorize the awarding of a construction contract to the successful bidder for the Richland County C&D Landfill Phase IV (Cell 1) Project in an amount not exceed the approved capital project budget of \$1,466,305 – Mr. Jackson stated the committee recommended approval of this item pending the review of the lowest bid. The vote in favor was unanimous.

Request to close a portion of Old Bluff Road – Mr. Jackson stated the committee recommended approval of this item with the provision that the closing does not negatively impact property owners. The vote in favor was unanimous.

Request to approve the purchase of an articulated dump truck for use in the Richland County C&D Landfill in the amount of \$259,475 from Caterpillar, Inc. – Mr. Jackson stated the committee recommended approval of this item. The vote in favor was unanimous.

A resolution in support of forming a joint Planning Commission with the City of Columbia – Mr. Jackson stated the committee recommended approval of this item. The vote in favor was unanimous.

ITEMS DEFERRED FROM JUNE ADMINISTRATION AND FINANCE COMMITTEE

Community Development: Requested to approve the Five-Year Consolidated Plan – Mr. Montgomery 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 ITEMS

Ms. Smith moved, seconded by Ms. Hutchinson, to go into Executive Session. The vote in favor was unanimous.

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Council went into Executive Session at approximately 8:20 p.m. and came out at approximately 9:08 p.m.
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Mr. Jackson moved, seconded by Ms. Scott, to come out of Executive Session. The vote in favor was unanimous.

- a. **Farmers' Market** – Ms. Smith moved, seconded by Ms. Scott, to reallocate the funding available for the Farmers' Market in order to promote the Economic Development portion of the plan.

| | |
|-----------------|---------------|
| <u>In Favor</u> | <u>Oppose</u> |
| Jackson | Pearce |
| Jeter | Malinowski |
| Livingston | Hutchinson |
| Dickerson | McEachern |
| Smith | Montgomery |
| Scott | |

The vote was in favor.

- b. **TIF Update** – No action taken.
- c. **Potential Purchase of Property** – No action taken.

MOTION PERIOD

Owens Airport Closure – Mr. Pearce stated that the Owens Airport will be closed effective July 31st at 7:00 a.m. for 21 days for runway re-paving.

An Ordinance Authorizing the 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. Scott, to reconsider this item. The motion failed.

National Guard Tour of Facilities – Ms. Smith requested that a National Guard tour be scheduled for October 18th at 10:00 a.m. The vote in favor was unanimous.

September Meeting Schedule – Ms. Smith moved, seconded by Ms. Dickerson, to schedule the first meeting in September for September 11th. The vote in favor was unanimous.

Amending Land Use Code – Ms. Smith referred to the Planning Commission the matter of amending the Land Use Code so that when a re-zoning request has the probability of a negative impact on traffic on a road or roads at or near failure the applicant may be required to conduct a traffic study.

External Audit and Purchase of Furniture for Auditor's Office – Mr. Jackson referred to the A&F Committee the matter of setting aside \$20,000 for an external audit and purchase of furniture for the Auditor's Office.

Moratorium on Major Developments – Mr. Jackson referred to the D&S Committee a moratorium on major developments for three months.

ADJOURNMENT

The meeting adjourned at approximately 9:27 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